PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIEMILLER:

H. R. 5757. A bill to provide specific measures in furtherance of the national policy of maximum employment, production, and purchasing power, as established in the Employment Act of 1946; to the Committee on Ways and Means.

By Mr. DOYLE:

H. R. 5758. A bill to provide for the return to the State of California of certain original documents and maps, known as the Spanish-Mexican Land Grant Papers, deposited in the National Archives; to the Committee on Post Office and Civil Service.

By Mr. HART:

H. R. 5759. A bill to establish a national housing objective and the policy to be followed in the attainment thereof, and for other purposes; to the Committee on Banking and Currency.

By Mr. HOLMES:

H. R. 5760. A bill to change the names of Ice Harbor Dam, Lower Monumental Dam, Little Goose Dam, and Lower Granite Dam on the Snake River to the Whitman lock and dam, Lewis lock and dam, Clark lock and dam, and the Spalding lock and dam, respectively, and for other purposes; to the Committee on Public Works.

By Mr. KENNEDY:

H. R. 5761. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. KLEIN:

H. R. 5762. A bill to amend the Servicemen's Readjustment Act of 1944 to extend the period during which readjustment allowances may be paid; to the Committee on Veterans' Affairs.

By Mr. LANE:

H. R. 5763. A bill to provide specific measures in furtherance of the national policy established in the Employment Act of 1946; to the Committee on Ways and Means.

By Mr. POULSON:

H. R. 5764. A bill to authorize the granting to the city of Los Angeles, Calif., of rights-of-way on, over, under, through, and across certain public lands; to the Committee on Public Lands.

By Mr. PRIEST:

H. R. 5765. A bill to amend section 2 of the act of March 3, 1901 (31 Stat. 1449), to provide basic authority for the performance of certain functions and activities of the National Bureau of Standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RAMSAY:

H. R. 5766. A bill to protect the national economy from excessive importations of vitrified china pottery and glassware, and to aid domestic producers of such articles and the employees of such producers; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 5767. A bill to provide certain additional rehabilitation assistance for certain seriously disabled veterans in order to remove an existing inequality; to the Committee on Veterans' Affairs.

By Mr. VINSON:

H. R. 5768. A bill to make certain revisions in titles I and III of the Officer Personnel Act of 1947, as amended; to the Committee on Armed Services.

By Mr. WADSWORTH:

H. R. 5769. A bill to amend an act regulating the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital, as amended; to the Committee on the District of Columbia.

By Mr. WALTER:

H. R. 5770. A bill to provide a statute of limitation with respect to the collection of certain judgments; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 5771. A bill to amend title 28, United States Code, relating to resignation and retirement of judges; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 5772. A bill to provide for the erection of a memorial to the enlisted men of the Medical Department of the Army who served in World War II; to the Committee on House Administration.

By Mr. BENTSEN:

H. R. 5773. A bill to authorize the carrying out of the provisions of article 7 of the treaty of February 3, 1944, between the United States and Mexico, regarding the joint development of hydroelectric power at Falcon Dam on the Rio Grande, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. DOUGLAS:

H. R. 5774. A bill to provide specific measures in furtherance of the national policy of maximum employment, production, and purchasing power, as established in the Employment Act of 1946; to the Committee on Ways and Means.

By Mr. MURRAY of Tennessee:

H. R. 5775. A bill to provide for improved financial control over the operations of the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCUDDER:

H. R. 5776. A bill to provide for the return to the State of California of certain original documents and maps, known as the Spanish-Mexican Land Grant Papers, deposited in the National Archives; to the Committee on Post Office and Civil Service.

By Mr. DEGRAFFENRIED:

H. J. Res. 323. Joint resolution to make January 30 a legal holiday in honor of Franklin Delano Roosevelt; to the Committee on the Judiciary.

By Mr. PETERSON:

H. J. Res. 324. Joint resolution to encourage and stimulate the exploration, development, and mining of the tin ore resources of the United States, and for other purposes; to the Committee on Public Lands.

By Mr. FULTON:

H. J. Res. 325. Joint resolution to restore the citizenship of persons who fought in the Near East, to give relief from prosecution for certain acts, and for other purposes; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. J. Res. 326. Joint resolution to return the citizenship of persons who fought in the Near East, to give relief from prosecution for certain acts, and for other purposes; to the Committee on the Judiciary.

By Mr. BOGGS of Louisiana:

H. Con. Res. 107. Concurrent resolution inviting the democracies which sponsored North Atlantic Treaty to name delegates to a federal convention; to the Committee on Foreign Affairs.

By Mr. JUDD:

H. Con. Res. 108. Concurrent resolution inviting the countries which sponsored the North Atlantic Treaty to name delegates to a federal convention; to the Committee on Foreign Affairs.

By Mr. SMATHERS:

H. Con. Res. 109. Concurrent resolution inviting the democracies which sponsored North Atlantic Treaty to name delegates to a federal convention; to the Committee on Foreign Affairs.

By Mr. WADSWORTH:

H. Con. Res. 110. Concurrent resolution inviting the democracies which sponsored the North Atlantic Treaty to name delegates to a federal convention; to the Committee on Foreign Affairs.

By Mr. DAVIS of Tennessee:

H. Con. Res. 111. Concurrent resolution relative to the North Atlantic Treaty; to the Committee on Foreign Affairs.

By Mr. BUCHANAN:

H. Res. 297. Resolution authorizing the expenses of the investigation and study to be conducted by the Select Committee on Lobbying Activities; to the Committee on House Administration.

H. Res. 298. Resolution creating a Select Committee on Lobbying Activities; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States to dedicate January 30, the birthday of Franklin Delano Roosevelt, as a national holiday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMP:

H. R. 5777. A bill for the relief of Joe D. Dutton; to the Committee on the Judiciary.

By Mr. NIXON:

H. R. 5778. A bill for the relief of Leopold Kahn, Jr.; to the Committee on the Judiciary.

By Mr. NIXON:

H. R. 5779. A bill for the relief of Eduardo G. Pardo De Tavera; to the Committee on the Judiciary.

By Mr. NIXON:

H. R. 5780. A bill for the relief of Jose G. Pardo De Tavera; to the Committee on the Judiciary.

By Mr. SABATH:

H. R. 5781. A bill for the relief of Moy Hong Toy and Chan King Fung Toy; to the Committee on the Judiciary.

By Mr. WILSON of Texas:

H. R. 5782. A bill for the relief of Mrs. Vera Raupe; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JULY 27, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. William Alfred Rock, Jr., D. D., Methodist minister, Denver, N. C., offered the following prayer:

Eternal and almighty God, as we bow our heads we are thankful that we can know Thy love and call Thee Father. We humbly beseech Thee to hear our prayer as we come and ask Thy care and Thy guidance. The task of the day is great and we feel the need of Thy presence and Thy power. Guide us in our thoughts and actions. May these always be motivated by Thy divine love. Should we ask of Thee and should it be Thy will to say "No," help us not to become bitter and discouraged, but help us to seek Thy will with greater determination.

O God, in a day when all Thy children are drawn so close together, help us to meet all as Thy children and our brothers, some to guide, some to help, but all to be loved.

These petitions we bring in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MCKELLAR, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 26, 1949, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 3199) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. MCKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hickenlooper	Morse
Anderson	Hill	Mundt
Baldwin	Hoey	Murray
Brewster	Holland	Myers
Bricker	Hunt	Neely
Bridges	Ives	O'Conor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Robertson
Capehart	Johnston, S. C.	Russell
Chapman	Kefauver	Saltonstall
Connally	Kem	Schoeppel
Cordon	Kerr	Smith, Maine
Donnell	Kilgore	Sparkman
Douglas	Knowland	Stennis
Downey	Langer	Taft
Dulles	Lodge	Taylor
Ecton	Long	Thomas, Okla.
Ellender	Lucas	Thomas, Utah
Ferguson	McCarran	Thye
Flanders	McCarthy	Tobey
Frear	McClellan	Tydings
Fulbright	McGrath	Vandenberg
George	McKellar	Watkins
Gillette	McMahon	Wherry
Graham	Magnuson	Wiley
Green	Martin	Williams
Gurney	Maybank	Withers
Hayden	Miller	Young
Hendrickson	Millikin	

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. MCFARLAND] are absent on public business.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] is absent because of illness.

The Senator from Nevada [Mr. MALONE] is detained on official business.

The VICE PRESIDENT. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Members of the Senate may be permitted to introduce bills and joint resolutions, present petitions and memorials, and place routine matter in the RECORD, as though we were in the morning hour, and without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

HYDROELECTRIC POWER AT FALCON DAM

The VICE PRESIDENT laid before the Senate a letter from the Secretary of State, transmitting a draft of proposed legislation to authorize the carrying out of the provisions of article 7 of the treaty of February 3, 1944, between the United States and Mexico, regarding the joint development of hydroelectric power at Falcon Dam on the Rio Grande, and for other purposes, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

PETITIONS

Petitions were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the executive committee, Disabled American Veterans, Department of Alabama, Birmingham, Ala., relating to the pay and allowances of the uniformed services; to the Committee on Armed Services.

A resolution adopted by the West Palm Beach (Fla.) Townsend Club, No. 1, favoring the enactment of the so-called Townsend plan providing old-age assistance; to the Committee on Finance.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

S. 4. A bill authorizing the advanced training in aeronautics of technical personnel of the Civil Aeronautics Administration; without amendment (Rept. No. 792); and

S. 442. A bill to amend the Air Commerce Act of 1926 (44 Stat. 568), as amended, to provide for the application to civil air navigation of laws and regulations related to animal and plant quarantine, and for other purposes; without amendment (Rept. No. 793).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

Richard H. Britt and Robert D. Fuller of the United States Coast Guard Reserve to be lieutenants (junior grade) in the United States Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. O'CONOR:

S. 2333. A bill relating to the basis for computing the compensation of certain civilian employees in the navy yards; to the Committee on Armed Services.

By Mr. TYDINGS:

S. 2334. A bill to provide for the organization of the Army and the Department of the Army, and for other purposes; and

S. 2335. A bill to make certain revisions in titles I and III of the Officer Personnel Act of 1947, as amended; to the Committee on Armed Services.

By Mr. GILLETTE:

S. 2336. A bill to provide a Federal charter for the Federal Alcohol Corporation; to the Committee on Agriculture and Forestry.

(Mr. TAYLOR introduced Senate bill 2337, to provide substantially full compensation for loss of income from involuntary unemployment and from disability, and for other purposes, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. KEFAUVER:

S. 2338. A bill for the relief of J. M. Arthur; and

S. 2339. A bill for the relief of the Davis Grocery Co., of Oneida, Tenn.; to the Committee on the Judiciary.

By Mr. MAYBANK (by request):

S. 2340. A bill making certain changes in laws applicable to regulatory agencies of the Government; to the Committee on Banking and Currency.

(Mr. CONNALLY (for himself, Mr. THOMAS of Utah, Mr. TYDINGS, Mr. PEPPER, Mr. GREEN, Mr. MCMAHON, and Mr. LUCAS) introduced Senate bill 2341, to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations, which was ordered to lie on the table, and appears under a separate heading.)

FULL SOCIAL SECURITY BILL OF 1949

Mr. TAYLOR. Mr. President, I introduce for appropriate reference a bill cited as the Full Social Security Act of 1949, and I ask unanimous consent that the bill, together with a brief statement I have prepared and a short summary prepared by Herbert J. Weber be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill, statement, and summary will be printed in the RECORD.

The bill (S. 2337) to provide substantially full compensation for loss of income from involuntary unemployment and from disability, and for other purposes, introduced by Mr. TAYLOR, was read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

SHORT TITLE, FINDINGS, AND DECLARATION OF POLICY

SEC. 1. (a) This act may be cited as the "Full Social Security Act of 1949."

(b) The greatest obstructions to the free flow of commerce are economic depression and social unrest. The principal cause of economic depression and social unrest is insecurity of income. Apprehension of diminishing demand for the products of labor instigates construction of industrial activity and consequent unemployment, which in turn reduces purchasing power and further curtails demand. So long as there is insecurity of income economic depression and social unrest are imminent.

(c) It is hereby declared to be the policy of the United States to eliminate the principal cause of economic depression and social unrest, thereby removing the greatest obstructions to the free flow of commerce, by providing security of income through the establishment of substantially full compensation for loss of income from involuntary unemployment and from disability.

TITLE I—UNEMPLOYMENT COMPENSATION

SEC. 101. Thirty days after the effective date of this act, and each week thereafter so long as he continues to be involuntarily unemployed—

(a) Every reserve worker under the age of 60 years shall be entitled to receive and the

Treasury of the United States is hereby authorized and directed to pay to such worker unemployment compensation in an amount equal to 85 percent of his previous weekly earnings.

(b) Every reserve worker 60 years of age or over shall be entitled to receive and the Treasury of the United States is hereby authorized and directed to pay to such worker unemployment compensation in an amount equal to (1) 40 percent of his previous weekly earnings if he has no dependent spouse; (2) 60 percent of his previous weekly earnings if he has a dependent spouse; and (3) an additional 10 percent of his previous weekly earnings for each child under the age of 21 years: *Provided*, That in no event shall he be entitled to receive more than 70 percent of his previous weekly earnings.

SEC. 102. Every unemployed person aged 21 years or over and otherwise qualified as provided in title V, section 501, subsection (b) of this act shall become a reserve worker entitled to receive the unemployment compensation provided for in section 101 hereof by registering with the United States Employment Service, hereinafter called the Employment service, and shall continue to be a reserve worker so long as he continues to be so qualified and complies with all of the rules and regulations issued by the Employment Service which promote the purposes of and are in conformity with this act.

SEC. 103. The Employment Service is hereby authorized and directed forthwith to register every unemployed person who applies for such registration and proves to its satisfaction that he is involuntarily unemployed, who agrees to accept suitable employment at fair remuneration offered to him by the Employment Service and to notify the Employment Service in writing immediately upon his acceptance of employment, and who otherwise complies with all rules and regulations issued by the Employment Service which promote the purposes of and are in conformity with this act. Such registration shall be applied for personally by said unemployed persons except under conditions under which the Employment Service shall provide by regulation for registration by proxy, attorney, or executor.

SEC. 104. In effecting said registration of unemployed persons the Employment Service is hereby authorized and directed to require of each applicant for registration a statement under oath setting forth (a) his name, address, and age; (b) his previous weekly earnings; (c) his trade, occupation, or profession; (d) that he is involuntarily unemployed; and (e) such other information as said Employment Service shall require to perform its functions under this act.

SEC. 105. (a) Every person claiming to be a reserve worker because of disability or illness shall, in addition to registering with the Employment Service, apply for registration with the United States Public Health Service, hereinafter called the Health Service. The Health Service is hereby authorized and directed to register every such person applying to it who proves to its satisfaction that during the period claimed to be a period of involuntary unemployment either that he is unable to work or that abstention from work is essential to the maintenance of his earning capacity, and who otherwise complies with all rules and regulations issued by the Health Service which promote the purposes of and are in conformity with this act: *Provided*, That the certificate of any doctor of medicine duly licensed to practice in the State or Territory or Federal district or possession of the United States in which a disabled or sick person resides, or of any qualified official of the United States or any State or Territorial government or the government of any Federal district or possession of the United States, shall constitute prima facie proof of such disability or illness. Such application for registration shall be made by mail by a physician or other qualified person on behalf of the person claiming to be a reserve worker except as the Health Service shall provide by regulation for such applications by other procedures.

(b) The Health Service is hereby authorized and directed forthwith to certify to the Employment Service the degree of disability or illness of every person whom it registers as disabled or ill, and the Employment Service shall accept certification as conclusive proof of disability or illness and prima facie proof of unemployment because of disability or illness.

SEC. 106. In effecting registration of persons claiming to be reserve workers because of disability or illness, the Health Service is hereby authorized and directed to make such examinations as it may deem advisable and is authorized to require of each applicant for registration a statement under oath setting forth such information as the Health Service shall require to perform its functions under this title.

SEC. 107. Immediately after completing the registration of any reserve worker, the Employment Service shall certify to the Treasury (1) that such a person is a reserve worker; (2) his previous weekly earnings; and (3) the amount of unemployment compensation to be paid to him under the provisions of this title.

TITLE II—COMPENSATION FOR PARTIAL DISABILITY

SEC. 201. Thirty days after the effective date of this act, and each week thereafter so long as he continues to be partially disabled, every certified partially disabled worker, including reserve workers, shall be entitled to receive and the Treasury of the United States is hereby authorized and directed to pay to such a person disability compensation in an amount equal to his loss of earnings due to partial disability: *Provided*, That if said person is also a reserve worker, said disability compensation shall be paid in addition to and shall not in any manner diminish the unemployment compensation to which said reserve worker is entitled under the provisions of title I of this act.

SEC. 202. Every partially disabled worker shall become a certified partially disabled worker entitled to receive the disability compensation provided for in section 201 hereof when he has been registered by the Health Service and has been certified to be a partially disabled worker by the Health Service to the United States Treasury, and shall continue to be a certified partially disabled worker so long as he remains a partially disabled worker and complies with all of the rules and regulations issued by the Health Service which promote the purposes of and are in conformity with this act.

SEC. 203. The Health Service is hereby authorized and directed forthwith to register every partially disabled worker who applies for such registration and proves to the satisfaction of said Health Service that he is a partially disabled worker, who agrees in writing to notify said Health Service in writing of any change in the degree of his disability, and who otherwise complies with all rules and regulations issued by the Health Service which promote the purposes of and are in conformity of this act: *Provided*, That the certificate of any doctor of medicine duly licensed to practice in the State, Territory, Federal district, or possession of the United States in which said partially disabled person resides, or of any qualified official or employee of the United States or of the government of any State, Territory, Federal district, or possession of the United States, shall constitute prima facie proof of partial disability and the degree thereof.

SEC. 204. In effecting said registration of partially disabled workers, the Health Service is hereby authorized and directed to make such examinations as it may deem advisable and to require of each applicant for registration a statement under oath setting forth such information as the Health Service shall require to perform its functions under this title. Such registration shall be applied for personally except under conditions under which the Health Service shall provide by regulation for registration by proxy, attorney, or executor.

SEC. 205. Immediately after completing the registration of any partially disabled worker the Health Service shall certify to the Treasury (1) that such worker is partially disabled; (2) the degree of his disability; and (3) the amount of disability compensation to be paid to him under the provisions of this title.

TITLE III—UNITED STATES EMPLOYMENT SERVICE

SEC. 301. Section 3 of the act of June 6, 1933, as amended (48 Stat. 114), is amended, as follows:

1. In the first line of the first subparagraph, after the word "bureau" insert "–1.".

2. After the subparagraph (a)–1. add the following new subparagraphs:

"–2. To render full, adequate, impartial, and prompt employment placement service to every person and to every prospective employer who complies with all laws affecting labor relations or standards, to assist every reserve worker to find suitable employment as rapidly as possible, and to assist every partially disabled worker to find suitable employment in which the impairment of his earning capacity by his disability will be minimized: *Provided*, That in rendering placement service no preference shall be given in favor of reserve workers and against employed persons seeking new employment.

"–3. To undertake and carry out periodical national surveys to ascertain the facts with respect to employment and unemployment and report the same to the Congress; to plan, encourage, and operate training programs designed to enable reserve workers to acquire new skills to qualify for new types of work required by technological and economic developments; and to accomplish measures designed to facilitate orderly and economic transfer of reserve workers from one geographical area to another as the general welfare may require."

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. Any determination by the Employment Service or the Health Service under any provision of this act may be appealed to the United States Circuit Court of Appeals of the judicial circuit having jurisdiction at the place where the act occurred which was the subject of the determination appealed. Reasonable findings of fact by the Employment Service or Health Service shall be accepted as conclusive by such court of appeals.

SEC. 402. The Secretary of Commerce is hereby authorized and directed to determine and to publish monthly an index of consumer prices which shall be a weighted average of the Department of Labor index of urban consumer prices and the Department of agriculture index of price of goods bought by farmers for use in living. The weights used in said weighted average shall be proportional to the respective populations represented.

SEC. 403. This act shall take effect 60 days after the date of its enactment and shall be in effect in the continental United States and all Territories and possessions of the United States except Puerto Rico.

SEC. 404. There are hereby authorized to be appropriated such sums as may be determined by the Congress to be necessary to carry out the provisions of this act.

SEC. 405. The act of August 10, 1939 (53 Stat. 1387), as amended, is amended as follows (so as to reduce by 80 percent the unemployment taxes thereunder and to repeal provision therein for disability compensation to persons aged 21 and over):

(a) Under title VI, section 608, delete the words "3 percent" and in lieu thereof insert the words "three-fifths of 1 percent";

(b) Under title VI, section 609, subsection (b), delete the words "2.7 percent" and in lieu thereof insert the words "fifty-four hundredths of 1 percent";

(c) Under title VI, section 611, paragraph (4), insert after the word "compensation" the words "to persons under age 21."

SEC. 406. Section 416 of the act of August 10, 1946 (60 Stat. 991), is hereby amended (so as to repeal provision therein for disability compensation to persons aged 25 and over) by inserting in subsection (a), after the word "individuals", the words "under age 21."

SEC. 407. Paragraphs 4 and 5 of section 205 in division II of the act of July 31, 1946 (60 Stat. 727) (providing for disability compensation) are hereby repealed.

SEC. 408. Section 2 of the act of June 25, 1938 (52 Stat. 1096), as amended, is hereby amended (so as to repeal provision therein for disability compensation to persons aged 21 and over) by inserting in subsection (a), after the words "Benefits shall be payable to any qualified employee," the words "under the age of 21 years."

SEC. 409. Sections 3 and 3b of the act of August 4, 1939 (53 Stat. 1202), as amended (providing for disability compensation), are hereby repealed.

SEC. 410. Section 5 of the act of May 22, 1920 (41 Stat. 616), as amended (providing for disability compensation), is hereby repealed.

SEC. 411. Section 4 of the act of June 29, 1936 (49 Stat. 2018), as amended (providing for disability compensation), is hereby repealed.

SEC. 412. Section 22 in subchapter B of chapter I of the Internal Revenue Code is hereby amended (so as to provide for the inclusion of unemployment compensation and disability compensation under this act in gross taxable income) by inserting in subsection (a), immediately before the period at the end of the first sentence, a semicolon followed by the words "and also unemployment compensation and disability compensation received under provisions of the full Social Security Act of 1949."

SEC. 413. All acts and parts of acts in conflict with any provision of this act and not specifically cited in sections 405 through 412 of this title, are hereby repealed insofar as such conflict exists.

TITLE V—DEFINITIONS

SEC. 501. When used in this act—

(a) The terms "workingman" and "workingwoman" shall mean a person who during 80 percent of the decade immediately preceding a period of involuntary unemployment (or, if said person is under age 35, during 80 percent of the period between said person's twenty-first birthday and the beginning of a period of involuntary unemployment) has been either employed, involuntarily unemployed, unemployed because of a labor dispute directly or indirectly involving himself, or devoting substantially full time to education.

(b) The term "reserve worker" shall mean an involuntarily unemployed workingman or workingwoman 21 years of age or over who applies or has applied for registration with the Employment Service as provided herein and who for 1 week or more during the 30 days prior to the date of such application had been involuntarily unemployed, either continuously or intermittently.

(c) The term "person" shall mean a natural person.

(d) The term "involuntarily unemployed" includes any person within the continental United States or any Territory or possession of the United States except Puerto Rico, aged 21 years or over, who is involuntarily without remunerative employment and who is not voluntarily unavailable for acceptance of an offer of suitable employment from the Employment Service during its usual hours of business. The term shall not include any person whose unemployment is due to a current labor dispute directly or indirectly involving himself or include any person whose unemployment is due to imprisonment for crime unless such imprisonment was on a charge later dismissed, nolle prossed, or otherwise abandoned or of which said person was acquitted. It shall not include any person who voluntarily fails to attend and satisfy the requirements of an occupational retraining course prescribed by the Employment Service in accordance with the provisions of title II of this act, or who fails to comply with the rules and regulations issued by the Employment Service which promote the purposes of and are in conformity with this act; nor any person who, within 120 days next preceding the date of his application for registration by the Employment Service, refused to accept suitable employment or voluntarily terminated suitable employment unless (1) at the time of said refusal or termination said person was under the age of 21 years; (2) said termination was a result of a labor dispute no longer in progress; or (3) said termination was for the bona fide purpose of engaging in self-employment or of devoting substantially full time to education. Any person who when involuntarily unemployed shall refuse to accept suitable employment shall thereupon immediately cease to be involuntarily unemployed.

(e) The term "suitable employment" shall mean employment in a trade, occupation, or profession not inconsistent with past training and experience for which fair remuneration is offered: *Provided*, That an offer of employment at an unreasonable distance from the legal residence of a reserve worker shall not constitute suitable employment. No employment shall be construed to be suitable employment which is illegal, or contrary to public policy, or inimical to the national defense, or contrary to bona fide religious convictions professed for more than 2 years by a reserve worker, or at any place of employment at which a labor dispute is in progress, or which in any respect violates any law affecting labor relations or standards, or with respect to which the working conditions are substandard or dangerous, as determined by the Employment Service, or which was avoidably offered by the Employment Service in disregard of a reserve worker's stated desires with respect to labor union affiliation or other working conditions.

(f) The term "fair remuneration" shall mean the prevailing wage scale or salary rate in any given locality for work for which a reserve worker is qualified by training, experience, physical condition, and quality of past performance: *Provided* That such wage scale or salary rate is not less than the minimum rate of wages fixed for workers other than apprentices by Federal or State law: *And provided further*, That the prima facie proof of fair remuneration for any reserve worker shall be that such remuneration is not less than one hundred-eighty-fifths of the unemployment compensation he is receiving plus or minus an amount proportional to fluctuations, since the date of reserve worker's registration with the Employment Service, in the index of consumer prices provided for in section 402 in title IV of this act.

(g) The term "previous weekly earnings" shall mean the average weekly earnings, less overtime compensation and unearned bonuses, received in money, goods, or services by a reserve worker during his last period of 260 days (continuous or intermittent) of suitable employment next preceding the date of his registration with the Employment Service: *Provided*, That if there were no such earnings or such earnings are not ascertainable the term shall mean the minimum rate of wages fixed for workers other than apprentices by Federal law.

(h) The term "voluntarily terminated," as applied to employment, includes (1) termination of employment by resignation or other voluntary act of a person who thereby becomes unemployed; (2) unemployment resulting from willful refusal or grossly negligent failure to abide by reasonable safety, efficiency, or disciplinary rules generally enforced, or made necessary by special conditions, in the trade, occupation, or profession involved; and (3) unemployment resulting from willful and unreasonable underutilization of ability to perform the usual duties of the trade, occupation, or profession involved.

(i) The term "refuse to accept," as applied to employment, includes (1) actual refusal to accept suitable employment and (2) refusal or failure to make reasonable effort to obtain suitable employment pursuant to notification by the Employment Service.

(j) The term "degree of disability" shall mean the degree of impairment in earning capacity equal to that set forth in the schedules of ratings of reductions in earning capacity from injuries or combinations of injuries by the Veterans' Administration at the date of enactment of this act.

(k) The term "loss of earnings due to partial disability" shall mean the difference between (1) the amount of earnings or one hundred-eighty-fifths of the amount of unemployment compensation actually obtained by a certified partially disabled worker while partially disabled and (2) 90 percent of the amount which in the opinion of the Health Service would constitute fair remuneration for suitable employment for such worker if he were not partially disabled.

(l) The term "partially disabled worker" shall mean a workingman or workingwoman aged 21 years or over whose earning capacity is impaired for 1 week or longer by physical or mental illness, physical congenital defect, or injury whose degree of disability is greater than 10 percent; who is employed at the date of his application to the Health Service for registration as a partially disabled worker; and who after such registration is either employed or a reserve worker.

(m) The term "dependent spouse" shall mean a lawful spouse or a divorced spouse awarded alimony, whose income from employment, unemployment compensation, and disability compensation is less than that of the other spouse or the other divorced spouse.

(n) The term "child under the age of 21 years" shall mean a child by blood or adoption or a stepchild under the age of 21 years.

(o) The term "voluntary unavailability for acceptance of an offer of suitable employment" includes voluntary failure to respond to an offer of suitable employment from the Employment Service and voluntary failure to perform such acts as may be reasonably necessary to enable a reserve worker to accept an offer of suitable employment.

(p) The term "employed" shall mean employment for compensation, including periods for which compensation is received but in which no specific work is performed for such compensation, or self-employment.

TITLE VI—SEPARABILITY

SEC. 601. If any provision of this act, or the application of such provision to any

person or circumstance, shall be held invalid the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The statement and summary are as follows:

STATEMENT BY SENATOR TAYLOR

FULL SOCIAL SECURITY ACT OF 1949

I have today introduced a bill setting up a comprehensive system of unemployment and disability benefits and I'd like to make a brief explanation of what the program would do, and why it is needed.

Unemployment, with its resultant loss of income, is one of the greatest threats to our economic system. The prospect of disability or loss of jobs is a constant menace to all workers. It is impossible for them now to have a sense of security. They are confronted continually by the realization that in case of unemployment all that can be expected is a temporary pittance insufficient to meet even minimum needs. If a slump comes, those that lose their jobs will receive a few small payments, after which they must attempt to exist with absolutely no money coming in. This is one of the imperfections of our democracy that must be corrected to provide security for all workers.

Equally important is the disastrous effect such unemployment has on the entire economy. This loss of purchasing power, coming at a time when buying is already dropping off, could be responsible for turning a temporary slump into a serious depression. Another depression would be catastrophic not only to ourselves, but to the entire world, and we must take every possible step to avert it. Enactment of this legislation would mean a stable purchasing power, providing a guaranteed market for industrial and farm products. The knowledge that demand will not drop off would result in continued high production and high employment, maintaining a prosperous economy. Unemployment would consequently remain at a low level, so that the costs of this unemployment compensation program would not be large.

The provisions of the bill can be stated quite briefly and simply. Every person willing to work but unable to secure employment because of disability or lack of job openings is paid 85 percent of his previous weekly earnings until he secures employment. If he is partially disabled and can be employed only at a lower rate because of the disability, payment is made for the earnings loss suffered because of his disability. Complete safeguards are provided in the bill to insure against abuse of the program by workers who refuse suitable employment.

Here is the way the program will work. First any person who loses his job can draw compensation amounting to 85 percent of his previous weekly earnings by complying with a few necessary requirements. He must register with the Employment Service and agree to accept any suitable employment offered by the Service or an employer. The term "suitable employment" means a job that he is qualified to hold and which will pay the prevailing wage for that vicinity. He is not forced to accept a job that involves strikebreaking, dangerous working conditions, or similar unreasonable requirements, but must accept any position approved by the Service as suitable for him. If he voluntarily quits such a suitable job without valid reasons, he is ineligible for compensation for a period of 4 months. These provisions are designed to prevent abuse of the system by those who have no desire to work, and at the same time give full protection to the unemployed who are out of work through no fault of their own.

Special provision is made for our elder citizens who have reached the age of 60. They will not be required to continue in the labor market and will receive retirement benefits ranging from 40 to 70 percent of previous average earnings, according to the number of their dependents. For example, a man 60 years of age with a dependent wife could receive 60 percent of his previous earnings, allowing them to retire in comfort and live decently for the rest of their days.

Thus, full protection is provided for our working population, regardless of injury, unemployment, sickness, or old age. If a worker loses his job, he will continue to receive 85 percent of his normal income, sufficient to take care of his needs until a job is secured. He must accept any reasonable job offer and cannot refuse to work or quit a job without valid reasons. If he becomes ill, or is injured so that he is physically unable to work, he will receive disability compensation amounting to 85 percent of his previous earnings. All that is needed to establish his disability is a doctor's certificate or examination by the United States Public Health Service. This compensation continues until he is able to work and a job is available for him.

If an employee is partially disabled, and cannot handle his previous work because of the disability, a new job that he is qualified to fill will be given him. Loss in earning power because of his partial disability will be made up by disability payments amounting to 90 percent of the difference in pay resulting from his injury.

Opponents of unemployment insurance have always concentrated on two points—the cost of the program and the possibility of men refusing to work. As I have already pointed out, the bill contains strict requirements that unemployed workers accept suitable jobs, and payments are not made to those who voluntarily quit such jobs or refuse to work. Detailed provisions contain guaranties against such abuses.

If a large portion of the population were unemployed or disabled, it is true that the cost would be high. However, with such a program in operation, there could not be much unemployment since the continuation of high purchasing power in the hands of all the people would guarantee a steady demand for both industrial and farm products. Assurance of ready markets would mean continuous high production and full employment, making for a permanently prosperous economy with minimum unemployment.

The bill is the result of years of work, research and study by a prominent Washington, D. C., economist, Herbert J. Weber. It is an important part of a complete economic program that Mr. Weber has developed.

FULL SOCIAL SECURITY

(Summary by Herbert J. Weber)

This paper sets up a proposal for the establishment of full social security—compensation for involuntary unemployment at the rate of 85 percent of previous earnings, unlimited in duration and amount, accompanied by equivalent disability, retirement, and survivorship annuities. It further suggests the establishment of bipartisan industry boards employing engineers with the function of continuously seeking advances in efficiency coupled with equivalent advances in wages and working conditions.

Full social security eliminates the pall of individual economic insecurity. It spreads among the whole people the cost of individual losses of income from vicissitudes. It takes from everyone the continuous present fear of future economic want.

In addition to its basic effect upon individual want in bad times and individual peace of mind in good times, full social security has basic economic effects. It facilitates continuously increasing production and prevents unemployment due to deficient purchasing power or to fear of it.

Realization of world cooperation for collective security can reasonably be expected if with full social security we make it evident to all nations that unemployment and want will never drive us to militarism for reemployment and recoupment.

Dispossessing nobody, full social security is the means to active basic objectives of labor, farmers, and businessmen alike. A means to active basic objectives of labor, farmers, and businessmen is within the limits of political practicability.

FULL UNEMPLOYMENT COMPENSATION PREVENTS UNEMPLOYMENT DUE TO DEFICIENT PURCHASING POWER OR FEAR OF IT

There must be cumulative unemployment whenever producers, knowing that lay-offs are occurring, dare not produce freely for fear that their customers will lack funds for purchasing their products. The possibility of public enterprises to give reemployment is not enough to allay this fear. With full compensation for involuntary unemployment, however, lay-offs do not substantially diminish the purchasing power of the workers laid off. If lay-offs do not substantially diminish the purchasing power of the workers laid off, there is nothing about lay-offs occurring in one industry to cause producers in other industries to curtail their production. Unemployment cannot cumulate when full compensation for involuntary unemployment is available just as bank failures cannot cumulate when adequate bank-deposit insurance is available.

Full compensation for involuntary unemployment assures the farmer as the manufacturer of the Nation's substantially full continuous purchasing power for his products.

The social-security fund would invest in bonds when its revenue was exceeding its compensation payments and would have to sell its bonds to raise money when its compensation payments were exceeding its revenue. Purchase of these bonds by the public would draw in any savings that were idle because of scarcity of safe investments. The savings so drawn in by the social-security fund would immediately become purchasing power in the hands of unemployment-compensation recipients. The Nation's savings would thus be kept invested to the extent needed to maintain its substantially full continuous purchasing power. Idle savings could not remain idle.

FULL UNEMPLOYMENT COMPENSATION FUNDS CAN SIMULTANEOUSLY BE FULL EMPLOYMENT FUNDS

Social-security funds would be available for financing public enterprises to the extent of such unemployment compensation as was otherwise anticipated. Appropriation and financing of a small percentage more would maintain virtually full employment.

THERE CAN BE NO MATERIAL PROBLEM IN ADMINISTERING FULL UNEMPLOYMENT COMPENSATION

Full unemployment compensation involves registration for work and acceptance of suitable work. With full unemployment compensation entailing nearly full employment, there can be no material administrative problem. No one could sham involuntary unemployment when he was receiving one job opportunity after another and would have to develop a new sham every other day—183 times in a year.

TAXES FOR FULL SOCIAL SECURITY ADD NOTHING TO THE BURDEN OF TAXES

Eliminating individual economic insecurity, full social security—full unemployment compensation accompanied by equivalent disability, retirement, and survivorship annuities—makes individual savings against vicissitudes unnecessary. Taxes for full

social security are a substitute for such savings, not an added tax burden.

FULL UNEMPLOYMENT COMPENSATION FACILITATES CONTINUOUSLY INCREASING PRODUCTION

The basic economic objective that we all want to see attained is continuously increasing production of goods and services. To attain this objective we must continuously advance the efficiency of our productive technology and organization. We cannot get continuously advancing efficiency as long as increased efficiency keeps workers hostile to it by carrying the threat of incomeless unemployment.

To eliminate hostility of workers to increased efficiency we must eliminate the threat to the worker's income from increased efficiency. To accomplish this we must adopt the principle that the involuntarily unemployed worker is a worker held in reserve, entitled to approximately his full previous earnings for the full duration of his availability for active duty. With the threat from increased efficiency thus eliminated, we attain a national incentive economy under which effective efforts can be concentrated upon increasing efficiency continuously.

COORDINATED ADVANCES IN PRODUCTION AND IN WAGES AND WORKING CONDITIONS

With full social security, incentive programs can operate to make increased efficiency directly profitable to both workers and businesses. One such program could be based upon bipartisan boards in industries giving continuing business and labor majority approval. A board (which would have nothing to do with bargaining between businesses and workers) would have the duty of working continuously with engineers to improve the efficiency of its industry. Government financing of necessary capital additions would be made available at rates based upon risk. After the businesses had had the savings from these improvements available for a year, the labor members of a board would have the right to order advances in wages or working conditions in the industry equal in cost to 80 percent of recurrent savings and 50 percent of temporary savings.

Under such an incentive program wages and working conditions can advance continuously, not out of profits or increased prices but out of increased efficiency.

With full social security, increased efficiency leads to increased production. If any business increases its efficiency without proportionately increasing its production, it lays off some workers and adds the amount of their wages to its profits and to the wages and working condition of its remaining workers while the workers laid off draw full unemployment compensation. The increased aggregate income is increased purchasing power, in response to which new production normally develops.

PARTIAL SOCIAL SECURITY IS NOT A PARTIAL SUBSTITUTE FOR FULL SOCIAL SECURITY

Partial social security has only slight economic effect. It lessens the effect of lay-offs on purchasing power but not on fear of impending deficient purchasing power. It does not end individual economic insecurity or hostility to increased efficiency.

MILITARY ASSISTANCE TO FOREIGN NATIONS

Mr. CONNALLY. Mr. President, on behalf of myself, the Senator from Utah [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], the Senator from Florida [Mr. PEPPER], the Senator from Rhode Island [Mr. GREEN], the Senator from Connecticut [Mr. MCMAHON], and the Senator from Illinois [Mr. LUCAS], I introduce a bill to provide military assistance to foreign nations. I request that the bill be appropriately referred.

The VICE PRESIDENT. The bill will be received and lie on the table momentarily, until the Chair looks into the matter.

The bill (S. 2341) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations, introduced by Mr. CONNALLY (for himself and other Senators), was read twice by its title, and ordered to lie on the table.

DEVELOPMENT OF HYDROELECTRIC POWER IN NEW ENGLAND STATES—AMENDMENT

Mr. BRIDGES submitted an amendment intended to be proposed by him to the bill (S. 253) to provide for a comprehensive survey to promote the development of hydroelectric power, flood control, and other improvements on the Merrimack and Connecticut Rivers and such other rivers in the New England States where improvements are feasible, which was referred to the Committee on Public Works and ordered to be printed.

AMENDMENT OF FAIR LABOR STANDARDS ACT—AMENDMENTS

Mr. GILLETTE submitted amendments intended to be proposed by him to the bill (S. 653) to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF CERTAIN PROVISIONS OF INTERNAL REVENUE CODE—AMENDMENTS

Mr. MCCARRAN submitted two amendments intended to be proposed by him to the bill (H. R. 5268) to amend certain provisions of the Internal Revenue Code, which were referred to the Committee on Finance, and ordered to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. MCMAHON submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4177) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1950, and for other purposes, the following amendment, namely: On page 15, line 5, after the word "responsibility" insert the following: ": *Provided further*, That not to exceed $2,700,000 of the amount herein appropriated may be transferred to the Department of the Navy for the acquisition, construction, and installation, at a location to be determined, of facilities (including necessary land and rights pertaining thereto) to replace existing Navy facilities at Arco, Idaho, which latter facilities are hereby authorized to be transferred by the Secretary of the Navy to the Commission for its purposes."

Mr. MCMAHON also submitted an amendment intended to be proposed by him to House bill 4177, making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1950, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

HOUSE BILL REFERRED

The bill (H. R. 3199) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers, was read twice by its title, and referred to the Committee on Rules and Administration.

AMERICA AT THE CROSSROADS—ADDRESS BY COL. LOUIS JOHNSON

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an address entitled "America at the Crossroads," delivered by then Col. Louis Johnson, on September 8, 1941, at the Thirty-second Annual Convention of the International Claim Association, Atlantic City, N. J., which appears in the Appendix.]

HOW BEST CAN WE PRESERVE WORLD PEACE?—ADDRESS BY JOHN RODMAN

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD the winning address submitted by John Rodman, of Memphis, Tenn., in the Veterans of Foreign Wars oratorical contest, which appears in the Appendix.]

AN EXPERIENCE IN WASHINGTON—ARTICLE BY WILLIAM HAWLEY

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an article entitled "An Experience in Washington," by William Hawley, editor of the Baldwin (Wis.) Bulletin, which appears in the Appendix.]

THE MAN WHO PAYS

[Mr. MUNDT asked and obtained leave to have printed in the RECORD an editorial entitled "The Man Who Pays," published in the Omaha (Nebr.) World-Herald, and a quotation from a speech by Senator Benjamin Harvey Hill in the United States Senate on March 27, 1878, which appear in the Appendix.]

MINDING OUR OWN BUSINESS—EDITORIAL FROM PITTSBURGH PRESS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an editorial entitled "Minding Our Own Business Still World's Best Plan," written by E. T. Leech, editor of the Pittsburgh Press, and published in the July 24, 1949, issue of that newspaper, which appears in the Appendix.]

CITATION FOR DEGREE OF DOCTOR OF LAWS CONFERRED UPON SENATOR MYERS AND HIS COMMENCEMENT ADDRESS AT LOYOLA UNIVERSITY

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD the citation for doctor of laws conferred upon Senator MYERS, and his commencement address at Loyola University, Baltimore, July 24, 1949, which appear in the Appendix.]

FINANCIAL AID TO BRITAIN—EDITORIAL FROM WALL STREET JOURNAL

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an editorial entitled "Sympton, Not Cause," relating to Senator KEM'S proposal respecting aid to Britain, published in the Wall Street Journal of July 27, 1949, which appears in the Appendix.]

PHONY WAR SCARES—EDITORIAL FROM THE WASHINGTON DAILY NEWS

[Mr. JENNER asked and obtained leave to have printed in the RECORD an editorial entitled "Phony War Scares," from the Washington Daily News of July 27, 1949, which appears in the Appendix.]

HOOVER COMMISSION RECOMMENDATIONS—COMMENTS BY ATOMIC ENERGY COMMISSION

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point a statement which I have prepared and the comments of the Atomic Energy Commission respecting the Hoover Commission recommendations affecting that agency.

There being no objection, the statement and comments were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN L. M'CLELLAN, CHAIRMAN, SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Senator JOHN L. McCLELLAN, chairman of the Senate Committee on Expenditures in the Executive Departments, released today a letter from Mr. David E. Lilienthal, Chairman of the United States Atomic Energy Commission, received in response to a request from the committee for comments concerning the application of recommendations of the Hoover Commission affecting the AEC.

The Chairman of the Commission states that many of the recommendations in the report on general management "have more particular application to the regular executive departments than to a new and relatively specialized agency such as the Atomic Energy Commission," pointing out that there is no independent statutory authority which has been granted to any of the divisions within the AEC, and there are no interruptions in the line of authority from the Commission and general manager down through the agency. He further states that "we believe that the special nature of the responsibilities of the AEC make it proper that it continue to report directly to the President" due to specific functions delegated to it by the Congress through the President.

In approving the report on personnel management, the Chairman states that it holds "great possibilities for improving and strengthening a merit system in the executive branch, and for enhancing the effectiveness of the Civil Service Commission to this end," and informed the committee that "the AEC inaugurated a new personnel policy on January 9, 1949, which endorses, through application, the philosophy and basic recommendations of Report No. 2 by placing the responsibility for good personnel management primarily on operating officials."

The Commission is also in full agreement with recommendations of Report No. 3, to consolidate and coordinate the housekeeping functions of government, stating that, "certainly the Federal Property Administrative Services Act of 1949 embodies a very complete adoption of these proposals, and should eliminate particularly the former confusions and delays attendant on procurement and property disposal through divers agencies."

Expressing general agreement with procedural recommendations in the report on budgeting and accounting, the Commission specifically approves recommendations 1 and 2, relative to the establishment of a performance budget, and for an immediate and complete survey by the Congress of appropriation structures. In commenting on certain recommendations of the task force report on accounting, the Chairman indicates that the AEC has already placed in effect budget and accounting system practices similar to those recommended, and makes the following observations:

"Benefits which should be obtained from their adoption, however, have been seriously limited by the complicated appropriations structure under which the AEC at present operates. The AEC has, therefore, after consultation with the Bureau of the Budget and the General Accounting Office, recommended to the House and Senate Appropriations Committees in connection with its 1950 appropriation on a merger with that appropriation of all prior fiscal year appropriations to the Commission. This merger of appropriations would enable the Atomic Energy Commission to prepare its budgets and account to the Congress for its expenditures on a sound program and cost-accounting basis rather than in terms of annual appropriations. We are hopeful that this merger of funds, which has been recommended by the Senate Appropriations Committee, will be adopted by the Congress."

The AEC is opposed to recommendation No. 10 of this report, calling for an Accountant General in the Treasury Department, stating that "we see considerable benefit in continuing the present joint program of the General Accounting Office, the Treasury Department, and the Bureau of the Budget to examine and overhaul the Government's accounting practices. We believe that substantial results have been achieved thus far by this joint program."

With reference to the report on Federal-State relations, approval is expressed to the proposed creation of a continuing agency to study and furnish information and guidance on Federal-State relations (recommendation No. 5). In this connection, the Commission states that:

"Problems that arise in this area out of AEC operations include the question of payment in lieu of taxes to local governments, the problem of financial aid to local school facilities bearing the burden of enrollment of children of AEC project employees, and law enforcement on project sites. The Atomic Energy Commission could benefit greatly from a study of these problems on a Government-wide basis."

In regard to the report on Federal research activities, the AEC strongly advocates approval of the proposal that "the President be granted authority to coordinate research and to strengthen interdepartmental committee organization for this purpose, and that a National Science Foundation be established," commenting that "enactment of the former recommendation seems to us essential to the planning of a long-range, coordinated Federal research program" which the Chairman states "would rescue Government conducted or sponsored research from the position of stepchild, which it presently occupies in numerous agencies."

The full text of the letter from Mr. Lilienthal follows:

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., July 22, 1949.

Hon. JOHN L. McCLELLAN,
Chairman, Senate Committee on Expenditures in the Executive Departments,
Senate Office Building.

DEAR SENATOR McCLELLAN: This is in further reply to your letter of May 23, requesting the comments of the Atomic Energy Commission relative to the reports of the Commission on Organization of the Executive Branch of the Government, legislative proposals resulting therefrom, and their actual or prospective application to the Atomic Energy Commission.

The reports of the Hoover Commission which seem to cut across the whole executive branch and bear particularly on the administration of the Atomic Energy Commission are five:

Report No. 1—General management of the executive branch,

Report No. 2—Personnel management,

Report No. 3—Office of General Services (supply activities),

Report No. 7—Budgeting and accounting, and

Report No. 18—Federal-State relations and Federal research.

Initially, we would like to emphasize the importance of the following principles underlying the reports, particularly report No. 1: (1) a direct line of responsibility from the head of an agency down through the organization, and direct responsibility of the agency head to the President; (2) the necessity of providing the agency head with authority commensurate with his responsibility, including authority to delegate authority and establish, within broad limits, the most effective internal organization; (3) the necessity of freedom from unduly detailed and rigid statutes and regulations controlling administrative procedures; (4) the necessity of consolidating presently overlapping and duplicative functions of different agencies of the executive branch.

Turning, with this background comment, to the specific recommendations of report No. 1, we have found many of them to have more particular application to the regular executive departments than to a new and relatively specialized agency such as the Atomic Energy Commission. For example, there is no independent statutory authority which has been granted to any of the divisions within the AEC, and there are no interruptions in the line of authority from the Commission and General Manager down through the agency. The Atomic Energy Act establishes four divisions and specifies that these divisions shall exercise such of the Commission's powers as the Commission may determine. Additional divisions have been created by the Commission to meet its needs. Recently, a new Division of Reactor Development has been established to meet the requirements of a new program.

A major recommendation of the first report is that agencies be regrouped and consolidated, as nearly as possible by purpose and function, into about one-third the present number, in order to reduce the unworkable number of agencies which divide their responsibilities and report independently to the President. We believe that the special nature of the responsibilities of AEC make it proper that it continue to report directly to the President. Moreover, the Atomic Energy Act specifically sets forth certain functions of the President in relation to the Atomic Energy Commission. The members of the Commission and the General Manager are appointed by the President, by and with the advice and consent of the Senate, and the President designates one member as chairman of the Commission. The act provides that the President shall be the ultimate arbiter in the event that the Military Establishment concludes that any action—proposed action—or failure to act of the Commission, in matters relating to military applications is adverse to the responsibilities of the military. The President determines at least once a year the quantities of fissionable material to be produced by the Commission. The President's approval is required before the Commission determines material other than uranium and thorium to be "source material"; also, the President has specific authority with respect to the production of atomic bombs, atomic-bomb parts, or other military weapons utilizing fissionable materials, and with respect to the transfer of fissionable materials or weapons from the Commission to the armed forces. He may also authorize the armed forces to manufacture or acquire equipment and devices utilizing fissionable material or atomic energy as a military weapon. Other sections of the act provide for reports to the President, the transfer of property to the Commission by the President, and the exemption of the Commission by the President from certain provisions of law relating to contracts.

Serious duplications by the Atomic Energy Commission of the functions of other agencies appear to be unlikely, in view of the

unique functions of the AEC, and the exclusive authority of the Commission to carry out most of the purposes named in the Atomic Energy Act.

Although it is not entirely clear from the reports, we assume it is not the intention of the reports to reduce the present multi-headed commissions and agencies such as AEC to a single head. The present five-man Commission and General Manager, serving as the chief administrative and executive officer of AEC, appear to constitute an organization consistent with the objectives of report No. 1.

With regard to legislation, we note that S. 942 and H. R. 2613 provide a highly desirable clarification of responsibility and authority within the executive branch. While many of their provisions appear to be covered by the authority of the President under the Reorganization Act of 1949, these bills, if enacted, would provide a well-defined background for both reorganization and future administration of the executive branch. Our understanding is that the "staff assistants" who would be appointed by the agency head, as provided by section 203 (b) of S. 942 and H. R. 2613, would not include the principal executive officer of an agency, such as our General Manager, who is appointed by the President, by and with the advice and consent of the Senate. This conclusion is supported by the description of such assistants by function contained in section 205.

We believe that the recommendations and philosophy of Report No. 2 on Personnel Management hold great possibilities for improving and strengthening a merit system in the executive branch, and for enhancing the effectiveness of the Civil Service Commission to this end. The proposals of both the majority and minority views in the report seem to us workable, and would represent a marked improvement over the present general pattern of personnel administration. The AEC inaugurated a new personnel policy on January 9, 1949, which endorses, through application, the philosophy and basic recommendations of Report No. 2 by placing the responsibility for good personnel management primarily on operating officials.

We are in full agreement with the recommendations of Report No. 3 of the Commission on Organization to consolidate and coordinate the housekeeping functions of government. Certainly the Federal Property and Administrative Services Act of 1949 embodies a very complete adoption of these proposals, and should eliminate particularly the former confusions and delays attendant on procurement and property disposal through divers agencies.

The Atomic Energy Commission is in general agreement with the procedural recommendations in Report No. 7 on Budgeting and Accounting. Three of the recommendations in that report would make significant contributions to the solution of important problems in the fiscal area. They are recommendation No. 1, which calls for the establishment of a performance budget, recommendation No. 2, which calls for an immediate and complete survey by the Congress of the appropriation structures, and recommendation No. 12, which endorses certain recommendations of the task force report on accounting. The Atomic Energy Commission has already placed in effect in its budget and accounting system practices similar to those recommended.

Benefits which should be obtained from their adoption, however, have been seriously limited by the complicated appropriations structure under which the AEC at present operates. The AEC has, therefore, after consultation with the Bureau of the Budget and the General Accounting Office, recommended to the House and Senate Appropriations Committees in connection with its 1950 appropriation a merger with that appropriation of all prior fiscal year appropriations to the Commission. This merger of appropriations would enable the Atomic Energy Commission to prepare its budgets and account to the Congress for its expenditures on a sound program and cost-accounting basis rather than in terms of annual appropriations. We are hopeful that this merger of funds, which has been recommended by the Senate Appropriations Committee, will be adopted by the Congress.

In connection with recommendation number 10 of Report No. 7 calling for an Accountant General in the Treasury Department who would prescribe general accounting methods, we would like to express our satisfaction with the close and helpful cooperation we have received from the General Accounting Office. Moreover, we see considerable benefit in continuing the present joint program of the General Accounting Office, the Treasury Department, and the Bureau of the Budget to examine and overhaul the Government's accounting practices. We believe that substantial results have been achieved thus far by this joint program.

In connection with that part of Report No. 18 of the Commission on Organization dealing with Federal-State relations, we are in agreement with recommendation No. 5, calling for the creation of a continuing agency to study and furnish information and guidance on Federal-State relations. Problems that arise in this area out of AEC operations include the question of payment in lieu of taxes to local governments, the problem of financial aid to local school facilities bearing the burden of enrollment of children of AEC project employees, and law enforcement on project sites. The Atomic Energy Commission could benefit greatly from a study of these problems on a Government-wide basis.

Our final comment pertains to that part of Report No. 18 concerned with Federal research activities. In this field there is the possibility that work sponsored or financed by AEC might well duplicate similar work undertaken by other agencies. Consequently, we heartily concur in the recommendations of the research section of Report No. 18 that the President be granted authority to coordinate research and to strengthen interdepartmental committee organization for this purpose, and that a National Science Foundation be established. Enactment of the former recommendation seems to us essential to the planning of a long-range, coordinated Federal research program. The latter recommendation, the establishment of a National Science Foundation, would be a recognition of the importance of science to government, and would rescue Government-conducted or sponsored research from the position of stepchild, which it presently occupies in numerous agencies.

We will be glad to prepare any further information you may wish from us.

We have not been advised by the Bureau of the Budget as to its views on the reports of the Commission on Organization or related legislation.

Sincerely yours,

UNITED STATES ATOMIC ENERGY COMMISSION,
DAVID E. LILIENTHAL.

NOMINATION OF GEORGIA LUSK TO WAR CLAIMS COMMISSION

Mrs. SMITH of Maine. Mr. President, I want to commend the nomination of Mrs. Georgia Lusk by the President to be a member of the War Claims Commission. The President could have made no finer appointment. He could have made no appointment which would be truly a recognition of the excellent public service that women can and have given.

Georgia Lusk is a symbol of conscientious and capable service in the Federal Government. It was my privilege to serve with her in the House of Representatives and I know first-hand of her splendid character and of her outstanding ability as a Federal legislator. I am equally confident that she can match her legislative performance with as excellent service in the executive department.

The women of America can well be proud of Georgia Lusk. They can be sure that her service will reflect the greatest credit upon them and will increase public confidence in the ability of women to perform important public service.

FOREIGN AID APPROPRIATIONS

The Senate resumed consideration of the bill (H. R. 4830) making appropriations for foreign aid for the fiscal year ending June 30, 1950, and for other purposes.

The VICE PRESIDENT. The Secretary will state the next committee amendment.

The next amendment was, on page 3, line 3, after the numerals, to strike out the comma and the words "of which not to exceed $125,000 shall be available for expenditures of a confidential character (other than entertainment) under the direction of the Administrator or the Deputy Administrator, who shall make a certificate of the amount of each such expenditure which he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the amount therein specified."

The amendment was agreed to.

The next amendment was, on page 4, line 3, after the word "exchange", to strike out "$3,568,470,000" and insert "$3,628,380,000."

The amendment was agreed to.

The next amendment was, on page 4, line 4, after the words "of which", to insert "(1) the amount required to finance the procurement of surplus agricultural products (determined surplus by the Secretary of Agriculture) of the kinds and in the quantities set out in the Economic Cooperation Administration budget justification submitted to the Senate shall be available only for such financing, and (2)."

Mr. LUCAS. Mr. President, this is an amendment which was offered in executive session in the Committee on Appropriations, so I am informed. I am advised that there were no hearings on this amendment. I make the point of order against the amendment that it is legislation upon an appropriation bill. It is my understanding that notice was given on July 12 by the Senator from Arkansas [Mr. McCLELLAN] of a motion to suspend the rule. He thereby recognized the fact that it is legislation upon an appropriation bill.

The VICE PRESIDENT. Unless Senators wish to argue the point of order, the Chair is prepared to rule.

Mr. McCLELLAN. Mr. President, it is true that I filed the required notice under the rule, because I could not definitely know how the Chair might rule if the point of order were raised against this amendment. However, I invite the

attention of the Chair that this is an amendment to a legislative provision in the bill as the bill came over from the House.

Immediately following this language is the following language: "not to exceed $500,000." And the Senate committee has changed the amount to $200,000 "shall be available for expenditures of a confidential character."

Mr. President, this is a limitation. It is a restriction on the use of funds, and therefore it is just as much legislation as is the limitation or restriction which I would place upon the use of funds by this amendment. This is an amendment of a legislative provision, and I insist that the amendment is germane to the provision of the bill which it amends.

Mr. LUCAS. Mr. President, in reply, I may say I am not discussing the question of germaneness; I am discussing what seems to me to be very clear and plain. There can be no question about the language, which says:

(1) the amount required to finance the procurement of surplus agricultural products (determined surplus by the Secretary of Agriculture) of the kinds and in the quantities set out in the Economic Cooperation Administration budget justification submitted to the Senate shall be available only for such financing.

Clearly that is legislation upon an appropriation bill. The books are full of precedents to the effect that on an appropriation bill of this kind legislation cannot be added. I am certain that the point of order should be sustained.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLELLAN. Would the point of order, if sustained at this point, send the bill back to committee?

The VICE PRESIDENT. It would not.

Mr. McCLELLAN. If the point of order is sustained, will a further point of order be in order against the whole bill?

The VICE PRESIDENT. Under the rule which was read yesterday, if any Senator makes a point of order against the whole bill on the ground that it contains legislative matter in violation of the rule, if the point of order is sustained the bill must go back to the committee. However, the point of order must be made against the entire bill, and not against any individual amendment.

Mr. McCLELLAN. That is the point I wished to have made clear. The whole bill is full of legislation; and if I may not have the opportunity to add further legislation, since it is more of a legislative bill than an appropriation bill, notwithstanding the amount in it——

Mr. CORDON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CORDON. I suggest that the language in question is in effect, if not in the usual terminology of a limitation, a limitation upon the expenditure of so much of the appropriated funds as may be measured by the amount of agricultural commodities indicated in the language, and nothing more.

Mr. McCLELLAN. Mr. President, that was my interpretation of the amendment. It is a limitation on an appropriation bill, and not legislation. But if the Chair holds that it is legislation, then I raise the question, first, of germaneness, because it is an amendment to a legislative provision of the bill, and I think if it is germane to that provision, it is properly in the bill.

The VICE PRESIDENT. Under the rule, ordinarily when a point of order is made against an amendment on the ground that it is not germane to the provisions of the bill, that question must be submitted to the Senate for decision. In this case the Senator who is sponsoring the amendment in opposition to the point of order is making the point that it is germane. While that presents the question in a little different form, the Chair feels that probably the proper interpretation of the spirit of the rule would require submission to the Senate of the question of germaneness.

On the question of whether or not the amendment is legislation, the Chair feels that under the precedents a limitation is in a sense a prohibition against the expenditure of certain parts of an appropriation. This amendment is a requirement that out of a general lump sum appropriation a certain amount shall be expended for definite purposes. Under the precedents that is legislation on an appropriation bill, because it changes existing law, the existing law being the ECA authority under which this appropriation is made. However, the question of germaneness must be submitted first, before the Chair passes on the other question. It may be unnecessary to pass on the other question, depending upon how the Senate decides the question of germaneness of this amendment. That question must be decided without debate.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Assuming that the amendment is germane, in view of the ruling just made by the distinguished Vice President, that would not prevent the Chair from holding that it is still out of order because it is legislation upon an appropriation bill.

The VICE PRESIDENT. If it is germane to a legislative provision already in the bill, and the Senate should so decide, that would preclude any ruling on the question as to whether or not it is legislation.

The question now is, Is the amendment germane to the provisions of the bill to which it is attached? That question must be decided without debate.

Mr. McCLELLAN. Mr. President, I ask for the yeas and nays.

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Bridges	Chapman
Anderson	Butler	Connally
Baldwin	Byrd	Cordon
Brewster	Cain	Donnell
Bricker	Capehart	Douglas
Downey	Johnston, S. C.	Myers
Dulles	Kefauver	Neely
Ecton	Kem	O'Conor
Ellender	Kerr	O'Mahoney
Ferguson	Kilgore	Pepper
Flanders	Knowland	Robertson
Frear	Langer	Russell
Fulbright	Lodge	Saltonstall
George	Long	Schoeppel
Gillette	Lucas	Smith, Maine
Graham	McCarran	Sparkman
Green	McCarthy	Stennis
Gurney	McClellan	Taft
Hayden	McGrath	Thomas, Okla.
Hendrickson	McKellar	Thomas, Utah
Hickenlooper	McMahon	Thye
Hill	Magnuson	Tobey
Hoey	Martin	Tydings
Holland	Maybank	Vandenberg
Hunt	Miller	Watkins
Ives	Millikin	Wherry
Jenner	Morse	Wiley
Johnson, Colo.	Mundt	Williams
Johnson, Tex.	Murray	Young

The VICE PRESIDENT. A quorum is present.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Am I correct in my understanding that insofar as the language contained in line 4 on page 4 of the bill is concerned, the question now before the Senate is whether that language is germane to the bill?

The VICE PRESIDENT. The question is whether it is germane to the provision of the bill to which it is added—not germane to the whole bill, but the part of the bill to which it is an amendment.

Mr. LUCAS. I understand that question is not debatable.

The VICE PRESIDENT. That is the rule.

Mr. LUCAS. Mr. President, I ask unanimous consent that it may be debated.

The VICE PRESIDENT. Is there objection?

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. Does the request of the Senator from Illinois contemplate that the rule prohibiting debate on this matter shall be waived as to all Members of the Senate?

Mr. LUCAS. That is correct.

The VICE PRESIDENT. The Chair would so interpret the request.

Mr. RUSSELL. I wondered whether the Senator from Illinois requested unanimous consent that he debate it or that the whole rule be suspended.

The VICE PRESIDENT. The Chair understood that the request was that the question of germaneness be debated by the Senate.

Mr. RUSSELL. Then I have no objection.

Mr. McCLELLAN. Mr. President, reserving the right to object, I should like to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arkansas will state it.

Mr. McCLELLAN. If unanimous consent is granted for debate on this question, may the debate be had on the entire bill, or would the debate have to be restricted to this one issue?

The VICE PRESIDENT. The Chair would think that if the question of the germaneness of this one amendment is

to be submitted for debate, the debate would be limited to that one issue.

Mr. McCLELLAN. That is what I wished to determine.

Mr. President, I desire to submit another parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLELLAN. Would a discussion or debate explaining the amendment and what it does be regarded as proper under the proposed unanimous-consent agreement, in order to determine the germaneness of the amendment?

The VICE PRESIDENT. Let the Chair state that when a parliamentary question is raised, which is to be passed on by the Chair, it is within the discretion of the Chair to decide whether he will listen to debate on the question; but the debate must be confined to the point of order on which the Chair is passing.

In this case the Senate has to pass on the question of germaneness, which is a parliamentary question on this particular amendment. If debate is to be had on the question of the germaneness of the amendment, which is a parliamentary question to be passed on by the Senate, rather than the Chair, the Chair would feel that the debate should be limited to that question.

The debate might involve discussion as to how it is related to the language of the bill to which it is added, how it is relevant or irrelevant, and so forth, as regards the question of germaneness.

Mr. LUCAS. Mr. President, I withdraw the unanimous-consent request for a moment, in order to submit another parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. I made a point of order against this language, on the ground that it was legislation on an appropriation bill. I cannot understand how another Senator can take me off my feet through an inquiry whether certain language is germane or not germane, and then have the Chair proceed to place the question of germaneness before the Senate, without first passing on the point of order which was made, by the Senator from Illinois and which seems to me to be the pending question before the Senate.

I should like to have the Chair's ruling on that situation, because to my mind this presents a most unusual and rather confused parliamentary problem.

The VICE PRESIDENT. The Chair will undertake to state that matter insofar as he can.

A while ago the Chair stated that under the rule as to the germaneness of an amendment, which requires that the question be submitted to the Senate, ordinarily the point of order is made that it is not germane. That, in the opinion of the Chair, might have been what the Senate had in mind when it adopted the rule. When that question is raised, it must be submitted to the Senate without debate. It has priority over other points of order, according to a decision of the Senate itself on a former occasion, where, under the same circumstances, a point of order was not made against the amendment on the ground it was not germane, but was made under the circumstances here, suggested by those who were supporting the amendment, that it was germane. On a yea-and-nay vote, the Chair was overruled by the Senate, the Senate itself holding that the question had to be submitted to the Senate, and that it had priority over other points of order.

The Chair based his ruling upon that one decision of the Senate, itself. The Chair does not feel that he can overrule that decision of the Senate itself on that point, although the Chair still is a little bit confused about how the sponsors of an amendment can make the point of order that it is germane, when nobody has made the point of order that it is not.

Mr. LUCAS. That is the point exactly, Mr. President, that I am trying to come to.

Mr. RUSSELL. Mr. President——

Mr. LUCAS. Just a moment.

Mr. RUSSELL. Mr. President, if the Senator from Illinois is going to debate this question without permitting anybody else to do so, I demand the regular order.

The VICE PRESIDENT. The Senator from Illinois submitted a further parliamentary inquiry to the Chair. The Chair is hearing the Senator, and the Chair will, on the point of order, hear all Senators who want to be heard.

Mr. RUSSELL. I thank the Chair.

Mr. LUCAS. I am sorry if I seem to have strayed a little from the point of order, but I was trying to hold to the text and to obtain from the Chair some information with respect to the precedents, in what seems to me to be a very unusual situation. I am not completely familiar with past decisions or precedents. Whatever the precedent has been, it seems to me that sooner or later it will be overturned.

I shall not take an appeal from the decision of the Chair at this time, but it is a very unusual situation for one who has made a point of order to be taken off his feet by someone who merely suggests that the amendment is germane, who does not even suggest to the Chair that the point of order of germaneness is raised, but merely participates in the colloquy, and the Chair immediately assumes germaneness to be an issue, and takes the Senator from Illinois from the floor.

Mr. President, I am going to withdraw my unanimous consent request. Let the Senate vote on whether the amendment is or is not germane, without debate.

The VICE PRESIDENT. The Chair would like to say in regard to this matter that it is an unusual situation, there can be no question about that. The Chair thinks the rule contemplated that a point of order would be made against an amendment on the ground of its not being germane, and that thereupon it would be submitted to the Senate. Unless the point of order is made against an amendment on the ground that it is not germane, it is not in question as to whether it is in order or not, and no amendment is questioned unless a point of order is made. No matter how much the rules of the Senate may be violated, if some Senator does not make a point of order, the Chair has no jurisdiction to pass upon the question at all. The Senate, however, passed on that matter on a former occasion, in 1943, and the Chair does not feel that he can arbitrarily overrule the decision of the Senate itself, whatever he may have thought of the decision at the time.

Mr. LUCAS. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. As I understood, the Chair stated a moment ago that, in the event the Senate holds the amendment to be germane, then the point of order on the question of its being legislation in an appropriation bill, cannot be considered.

The VICE PRESIDENT. The Chair will hear argument on that. Superficially that might seem to be so. If it is an amendment to a legislative provision in the House bill, and is germane to the legislative provision of the House bill, that would tend to cure the defect of being legislation on an appropriation bill, if separately presented.

Mr. LUCAS. I should want to argue that. But the net effect if that view is correct, is that the rule of germaneness by majority vote, regardless of what might happen, could nullify the rule respecting the two-thirds requirement in the case of legislation on an appropriation.

The VICE PRESIDENT. That might be.

Mr. WHERRY. Mr. President——

Mr. TAFT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Nebraska.

Mr. WHERRY. I should like to have a restatement by the Chair. The question I wanted to propound to the Chair was, in the event the issue of germaneness were determined favorably, the Senate holding the amendment to be germane, then a point of order against the amendment, as I understood the Chair, would not lie, because decision that it is germane would preclude the point of order raised by the Senator from Illinois as to its being legislation on an appropriation bill.

The VICE PRESIDENT. The Chair feels that undoubtedly on its merits as a single proposition this amendment is legislation on an appropriation bill. But if it is legislation added to a legislative provision of the House bill, to which it is germane, then the question of its being legislation on an appropriation bill is solved, if the Senate holds it to be germane.

Mr. WHERRY. So the vote on germaneness in reality would settle the issue of whether it is legislation on an appropriation bill; would it not?

The VICE PRESIDENT. The Chair thinks so. In other words, if this is a germane amendment to a legislative provision of the House bill, then the point of

order would not lie against it as legislation on the appropriation bill.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TAFT. I may suggest to the Chair that the provision of paragraph 4 of rule XVI applies only to amendments offered on the floor, and does not apply to amendments offered by the Committee on Appropriations. The Committee on Appropriations frequently puts into appropriation bills items which are not germane to the other provisions of the bill. It seems that paragraph 2 of rule XVI is intended to limit the Committee on Appropriations. In paragraph 2 there is no provision with respect to germaneness. I merely want to suggest to the Chair that the question of germaneness applies only to amendments offered on the floor of the Senate after the bill has been reported by the committee.

The VICE PRESIDENT. After consulting with the Parliamentarian the Chair is inclined to conclude as follows:

With respect to appropriation bills rule XVI provides:

> No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received, nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto—

The question is, What does the rule mean when it says, "No amendment shall be received"? Does it mean that no amendment shall be received on the floor of the Senate, or does it mean that no amendment shall be received by the Senate from the committee which has reported the amendments? The Chair is unable to escape the conclusion that, when the rule says "No amendment shall be received," it means no amendment shall be received by the Senate, and that that applies to committee amendments as well as to amendments offered from the floor. Therefore, the Chair thinks the point raised by the Senator from Ohio, while persuasive, is not well taken, under the precedents. The Chair, therefore, adheres to his original ruling.

Mr. McKELLAR. Vote.

Mr. RUSSELL. Mr. President, if the Chair will indulge me, I am not in the habit of arguing after the judge has ruled, but it appears to me that subsection 4 of rule XVI applies to all amendments, whether reported by the committee or offered from the floor. It derives from Jefferson's Manual.

The VICE PRESIDENT. It might be construed to mean that while no Senator can offer an amendment from the floor which is not germane or relevant, the committee itself could bring in such amendments and offer them ad infinitum. The Chair does not believe that is the meaning of the rule.

The question now is, Is the committee amendment under discussion germane? On this question the yeas and nays have been demanded.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Let us see whether the Senate wants the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The Senator from Massachusetts will state his parliamentary inquiry.

Mr. SALTONSTALL. While I think the answer is clear, I should like to have a statement from the Chair. The question before the Senate now is the question of the germaneness of the amendment. If the amendment is later declared by a majority vote to be germane, then there will be debate on the merits of the amendment, and another vote on the amendment. Is that correct?

The VICE PRESIDENT. If the Senate votes that the amendment is not germane, of course it is out; there are no more points of order with reference to it. If the Senate votes that the amendment is germane, it is subject to debate, like any other amendment.

The question is, Is the amendment germane?

Mr. McCLELLAN. Mr. President, a "yea" vote will sustain the germaneness of the amendment; will it not?

The VICE PRESIDENT. An affirmative vote is in favor of the germaneness of the amendment. A negative vote is against the germaneness of the amendment.

The yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN (when his name was called). On this vote I have a pair with the senior Senator from Mississippi [Mr. EASTLAND]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I withhold my vote.

The roll call was concluded.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. McFARLAND] are absent on public business.

The Senator from Idaho [Mr. TAYLOR] and the Senator from Kentucky [Mr. WITHERS] are unavoidably detained.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] is absent because of illness. If present and voting, the Senator from New Jersey would vote "nay."

The Senator from Nevada [Mr. MALONE] is detained on official business.

The result was—yeas 54, nays 32, as follows:

YEAS—54

Aiken	Ecton	Johnston, S. C.
Baldwin	Ellender	Kem
Brewster	Ferguson	Kerr
Bricker	Frear	Langer
Bridges	Fulbright	McCarran
Butler	George	McCarthy
Byrd	Gillette	McClellan
Cain	Gurney	McKellar
Capehart	Hendrickson	Martin
Chapman	Hickenlooper	Maybank
Cordon	Hoey	Miller
Donnell	Jenner	Millikin
Downey	Johnson, Colo.	Mundt
Murray	Smith, Maine	Watkins
Robertson	Stennis	Wherry
Russell	Taft	Wiley
Saltonstall	Thomas, Okla.	Williams
Schoeppel	Thye	Young

NAYS—32

Anderson	Ives	Morse
Connally	Johnson, Tex.	Myers
Douglas	Kefauver	Neely
Dulles	Kilgore	O'Conor
Flanders	Knowland	O'Mahoney
Graham	Lodge	Pepper
Green	Long	Thomas, Utah
Hayden	Lucas	Tobey
Hill	McGrath	Tydings
Holland	McMahon	Vandenberg
Hunt	Magnuson	

NOT VOTING—10

Chavez	Malone	Taylor
Eastland	Reed	Withers
Humphrey	Smith, N. J.	
McFarland	Sparkman	

The VICE PRESIDENT. On this question the yeas are 54, the nays are 32, and the Senate holds that the amendment is germane. The question is on agreeing to the amendment.

Mr. LUCAS. Mr. President, I raise the same point of order that I raised before, notwithstanding the vote of the Senate that the amendment is germane. I would like to know what it is germane to.

Mr. President, the language of the amendment is "the amount required to finance the procurement of surplus agricultural products * * * of the kinds and in the quantities set out in the Economic Cooperation Administration budget justification submitted to the Senate shall be available only for such financing," and so forth. There is not a single line or syllable about surplus agriculture products in the House bill.

The Chair has held, as I understood him to rule a moment ago, that this particular provision must be germane to a legislative provision which has been incorporated in the bill by the House. Notwithstanding the fact that the Senate has voted the amendment to be germane I seriously contend that the particular amendment is not germane to anything that was in the House bill appearing before this amendment was written in by the committee.

Mr. DONNELL. Mr. President——

Mr. LUCAS. One moment.

The VICE PRESIDENT. Is the Senator from Illinois addressing a parliamentary inquiry to the Chair?

Mr. LUCAS. Yes.

The VICE PRESIDENT. The Chair did not hold that the amendment was germane. The Senate voted that it was, and the Senate will have to decide what it is germane to. It is not a question for the Chair.

Mr. LUCAS. Mr. President, notwithstanding what the Senate decided, I am still making the point of order that the language we are now discussing is legislation upon an appropriation bill, and notwithstanding the fact that the Senate has declared that it is germane to something in the bill—nobody knows what—it is still subject to the point of order, because there is an absolute distinction between the question of germaneness of an amendment and the question of its being legislation upon an appropriation bill. It is still my studied

opinion that the mere fact that the Senate has ruled that it is germane does not automatically decide that this language in the bill does not deviate from existing law or is not legislation upon an appropriation bill. I still make the point of order that it is legislation upon an appropriation bill.

Mr. President, if by this method a Senator can come before the Senate and submit a question of germaneness upon every phase of an appropriation bill, or any other measure that is before the Senate, it will be possible to bypass absolutely the two-thirds rule, under which it is necessary to have a vote of two-thirds to sustain an amendment which proposes legislation on an appropriation bill. All a Senator would have to do, if he had a majority with him, would be to suggest that an amendment was germane, and if he could get the majority to say that it was germane, then there would be nullified and abrogated the two-thirds rule, which has been in existence at least ever since the Senator from Illinois has been a Member of the Senate, and was the rule long before that.

Mr. President, a dangerous precedent is being set. I submit we might just as well forget about the two-thirds rule if my point of order is not sustained.

Mr. President, notwithstanding the fact that the Senate has voted that the amendment is germane, I submit that action of the Senate in no wise affects the question of legislation upon an appropriation bill. There could be in an appropriation bill many things which are germane, which would be in an entirely separate category when it comes to the question of legislation on an appropriation bill.

Mr. ROBERTSON. Mr. President, as one Member of the Senate who expressed the opinion that the amendment was germane, I wish to say that my decision on that issue was based upon my understanding that the House had sent to the Senate a bill authorizing the appropriation of a given number of dollars to buy various supplics for the cooperative countries who hold membership in OEEC. When the Committee on Appropriations took testimony on the bill, we asked the Administrator to indicate to us what those supplies would be, and he indicated that some of them, quite a substantial number of them, would be farm supplies, that others would be machinery, that some would be loans, and some would be services. Therefore, I felt that when the distinguished Senator from Arkansas offered an amendment directing the Administrator to purchase the amount of farm supplies contemplated in the House bill, which the Administrator had indicated to us in his tentative estimate he was inclined to purchase, it was germane to the program we were considering.

I do not care to argue the new point, that the amendment is legislation on an appropriation bill. I have been proceeding on the assumption that it conformed to the Ramseyer rule, under which we can put into an appropriation bill legislation which limits the expenditure of funds. Whether this limits the expenditure of funds I would not like to say, for one reason because the Administrator has informed us that his estimates of the needs of the farm products were in the first place tentative, subject to revision as further crop reports come from Europe and, secondly, that they were based upon an estimate of approximately $4,000,000,000, and we have cut the total appropriation by more than $400,000,000. Therefore he claims that it would be very necessary for him to revise his tentative estimates, and perhaps give a lower allocation to wheat, corn, and cotton.

I wish to say in all frankness, Mr. President, that when I first discussed this problem before the Senate I clearly indicated my opposition to the amendment. I think it is entirely undesirable. But that is aside from the point of whether or not it is germane, or whether or not it falls within the rule that it is legislation improperly upon an appropriation bill.

We are aware of the fact that the Secretary of Agriculture thinks this is a bad amendment, that it will hurt our farmers instead of helping them. We are aware of the fact that all three major farm organizations have very explicitly gone on record against the amendment. We are aware of the fact that it could be used as propaganda by Communists, that, instead of carrying out a cooperative program to rehabilitate our allies in western Europe, we are using this relief as a dumping process for surplus farm products, a claim which we have always denied. They claimed all along that we were not really aiming to help western Europe, that we were afraid of a depression, that we wanted to move surplus products abroad, and that this was the means we had adopted for moving them.

Mr. President, I simply wanted to explain that in voting this amendment to be germane, and I thought it was, I in no sense committed myself on its merits, because I am very much opposed to it, and I hope the Senate will not adopt it, when it comes to vote on it.

The VICE PRESIDENT. The question is on the point of order raised by the Senator from Illinois.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Will the Senator wait a moment until the Chair makes a statement. The question is on the point of order raised by the Senator from Illinois, and the Chair thought the Senator from Virginia [Mr. ROBERTSON] was arguing the point of order rather than the merits of the matter. If the Senator from Nebraska wishes to argue the point of order——

Mr. WHERRY. Has the Senator from Illinois made a point of order? I did not hear the Senator from Illinois make a point of order.

The VICE PRESIDENT. Yes; he did make a point of order.

Mr. WHERRY. When I indicated I wished to make a parliamentary inquiry, I wanted to ask whether the Senator from Illinois had made a point of order. I did not hear him make a point of order that the item was legislation on an appropriation bill. If he has made such a point of order I should like to speak on it for a moment.

The VICE PRESIDENT. The Chair is ready to rule on the point of order.

Mr. WHERRY. Is the point of order not debatable?

The VICE PRESIDENT. It is debatable if the Chair desires to hear arguments on the point of order, but the Chair is ready to rule on the point of order, and does not feel that it is necessary to hear any further arguments on that point.

Mr. WHERRY. The majority leader was given plenty of time to present his argument in favor of the point of order. Therefore it certainly seems that equal opportunity should be afforded other Senators to answer the points he has made.

The VICE PRESIDENT. If the Chair is prepared to overrule the point of order made by the majority leader, what is the use of arguing?

Mr. WHERRY. That is not the point I make, Mr. President. When one Senator is recognized by the Presiding Officer to make a point of order and to present arguments in favor of his point of order, I certainly feel that equal opportunity should be afforded Senators who are opposed to the point of order.

The VICE PRESIDENT. The rule provides that it is in the discretion of the Chair to hear arguments on a point of order. The Senator from Nebraska is familiar with that rule.

Mr. WHERRY. Yes.

The VICE PRESIDENT. The Chair is ready to rule, and since the Chair assumed that the Senator from Nebraska was opposed to the point of order, the Chair felt it was not necessary to listen to argument against it.

Mr. WHERRY. The Chair anticipated what I was going to say?

The VICE PRESIDENT. Yes; he did.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. Did not the Chair state before the point of order was raised that he was of the opinion that the point of order was not valid?

The VICE PRESIDENT. The Chair stated that if the Senate voted that this amendment was germane, that in itself eliminated any further point of order against it.

The Chair would like to make an observation. There are two rather apparently conflicting provisions of the rule. As the Chair said a while ago, it is a little unusual for the sponsors of an amendment to make the point of order that it is germane when no Senator had made the point of order that it is not germane. The decisions of the Chair are usually made on the points of order made against an amendment to or a provision of the bill. But under the precedent referred to, when a similar situation arose, the Senate voted on the question, and held that the matter was germane, although the point of order against its germaneness was not made.

There are two theories about the question of legislation on an appropriation bill and the limitation of language in an appropriation bill. Language that limits or prohibits the expenditure of money is a limitation. Language in the bill which affirmatively directs the executive department how to spend money is not a limitation. Under the rule which has been long upheld by precedents and decisions, in a general lump sum appropriation bill amendments directing that a portion of the money be spent for any specific purpose are not in order. But that point is not raised here. That is not before the Chair. It would be properly, in connection with a point of order against the amendment, on the ground that it is legislation on an appropriation bill.

The Chair, I think, indicated—if not, he would now—that he thinks this is legislation on an appropriation bill. Undoubtedly it is. But the question of the germaneness of that legislation to some other legislative provision in the bill had to be submitted to the Senate. The Senate has decided that it is germane. It is not for the Chair to say what it is germane to. The Senate decided it was germane to something, and that, of course, has to stand as the ruling of the Senate. Therefore, the Senate having decided that question in the affirmative, the point of order that it is legislation, and therefore in violation of the rules, must be overruled because the Senate held by its vote that if it is legislation—and by implication it might be held that the Senate voted that it is legislation, but that it is germane to some other legislative provision in the bill—the Chair is compelled to overrule the point of order made by the Senator from Illinois.

The Chair acknowledges the confusion by which this rule seems to be surrounded, growing out of a previous decision of the Senate, but the Chair cannot help that.

The question now is on the amendment itself.

Mr. PEPPER. Mr. President, will the Chair permit a parliamentary inquiry in connection with the ruling just made?

The VICE PRESIDENT. Yes.

Mr. PEPPER. So that Senators may be informed about the future course, does the ruling of the Chair mean that when the question of germaneness is raised by the proponent of an amendment and settled in the affirmative, that shall be held conclusively to mean that the decision of the Senate was that it was not only germane, but germane to a legislative provision which came over from the House of Representatives in the bill, and that, therefore, the question of the matter in issue being legislation is not subject to be raised as a point of order?

The VICE PRESIDENT. The Chair is inclined to the opinion—not rendering any decision, however—that if the question of the germaneness of any amendment to an appropriation bill is submitted to the Senate, and the Senate votes that it is germane, that ends it so far as any objection to it on the ground that it is legislation on an appropriation bill is concerned. That may be a ridiculous parliamentary situation, but that seems to be the consequence of the Senate's action.

Mr. PEPPER. Will the Chair allow a further observation on that point?

The VICE PRESIDENT. Yes.

Mr. PEPPER. It had seemed to the Senator from Florida that in the rule there were two questions presented, one the question of relevancy, which is decided, not by the Chair, but by a vote of the Senate. The second one is the question whether the subject involved is legislation on an appropriation bill. It did not seem to the Senator from Florida that the decision in the affirmative on the question of relevancy necessarily precluded the question of it being legislation on an appropriation bill, because, for example, the ruling on the question would be by a different tribunal. Under the rule itself, on the question of germaneness, the decision is by the Senate, but on the point of order as to whether the matter is legislation on an appropriation bill I had understood that the decision would be by the Chair. So they must be different questions. I had never understood that the question on the point of order as to a matter being legislation on an appropriation bill would be submitted without argument to the Senate for its decision. Therefore, they must be two separate questions, and I do not think it necessarily follows that the decision of one by the Senate necessarily precludes the decision of the other by the Chair, unless, as the question I put originally supposed, the affirmative decision of germaneness by the Senate is presumed conclusively to be a decision by the Senate that the issue is not only relevant, but relevant to a legislative provision which came over to the Senate from the House of Representatives.

The VICE PRESIDENT. The Chair would state that it has been held frequently by the Senate and by the Chair—by the Chair, at least—that where there is legislative matter in an appropriation bill coming over from the House a legislative amendment to that legislative proposal already contained in the House bill is in order if germane to that particular matter, and the question of its germaneness must be submitted to the Senate. That is wholly independent of the point that it is legislation, because that presupposes that it is legislation or that it is an amendment embodying legislation, and if it is not germane to any other legislative provision in the bill, and the Senate so decides, of course, that vitiates the amendment at once.

But if the Senate holds, which it has done in this case, that it is germane either to the language to which it is appended, or germane to the bill—because the rule itself deals with germaneness to the bill as well as to any particular part of the bill—if the Senate votes that it is germane, although legislation, if it is germane to any other legislative provision of the bill, the Chair does not see how he can overrule that decision of the Senate by deciding that, although the Senate has held that it is legislation and that it is germane, nevertheless the Chair can say that it is legislation on an appropriation bill, and therefore declare the amendment out of order. That would be in effect overruling the decision of the Senate.

Mr. PEPPER. The point I had in mind was that the Senate Committee on Appropriations might present some matter in the bill with respect to which the question of germaneness might arise, and the Senate might decide the question of germaneness itself; but I had not supposed that it would be conclusively presumed that, if it were germane to a legislative provision, it would not be subject to the point of order that it is legislation if, in the opinion of the Chair, it were not only germane but also legislation on an appropriation bill.

The VICE PRESIDENT. The question whether an amendment is germane to a legislative provision is for the Senate to decide. The Senate decided that this amendment was germane to a legislative provision of the bill as it came over from the House. When the Senate decides that it is legislation, but that it is germane to the bill, the Chair cannot throw the amendment out on a point of order that it is legislation, because the Senate has voted that, notwithstanding it is legislation, it is germane to a legislative provision of the bill.

Mr. PEPPER. The Chair did not suggest that under the rule the Chair did not submit to the Senate the question whether or not it is legislation.

The VICE PRESIDENT. The Chair does not have to submit that question.

Mr. PEPPER. Only the question of relevancy was involved in the decision of the Senate. It seems to me that under the rule a second decision, as to whether it is legislation on an appropriation bill, should be made by the Chair. In that case, even if it were relevant to a legislative provision, it would be subject to a point of order.

Mr. TAFT. Mr. President, I appeal from the decision of the Chair.

The VICE PRESIDENT. From what decision of the Chair does the Senator appeal?

Mr. TAFT. The decision overruling the point of order of the Senator from Illinois.

The VICE PRESIDENT. Such an appeal is in order. Does the Senator wish to argue the appeal?

Mr. TAFT. I appeal from the decision of the Chair for this reason: I am no strong partisan of either side so far as the amendment is concerned; but it seems to me that we are embarking on a course which will lead to the breakdown of the rule prohibiting legislation on appropriation bills. I think it is an excellent rule. I cannot see why a point of order cannot be made against an amendment on the ground that it is legislation, even though it may be germane.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. GEORGE. Is not this body entitled to amend an appropriation bill

sent over by the House of Representatives?

Mr. TAFT. The rule provides that—

No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. GEORGE. When the House has inserted a legislative provision——

Mr. TAFT. That is another question.

Mr. GEORGE. No; it is precisely this question.

Mr. TAFT. If the House has inserted general legislation, the amendment does not propose general legislation. The House has already done it, and we are developing in that field the question of further general legislation by amending the general legislation which the House has put in the bill. But it seems to me there can be no question about the result.

I do not see any relation whatever between the rule regarding general legislation and the rule regarding germaneness. The English is entirely separate.

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

They are entirely distinct. There is no relation whatever between them so far as I can see. The question of germaneness is dealt with in one way by a vote of the Senate. Suspension of the rule regarding general legislation has always been by a two-thirds vote. If we want to insert general legislation in an appropriation bill, I see no possible argument for the claim that the two propositions are related, and that because an amendment is germane it is no longer general legislation. The two rules are entirely distinct.

I believe that if this precedent is established, it means an end to the rule which forbids general legislation on an appropriation bill. I think it is a very bad practice. It is done too much, and I do not think the practice should be extended. So I appeal from the decision of the Chair. I feel that the Senate itself should decide in this case. The question of general legislation is a point of order which can be raised regardless of how the Senate votes on the question of germaneness.

Mr. GEORGE. Mr. President, I wish to say a few words on this question. I believe it to be important. I think the question of whether an amendment is germane to something which is inserted by the House of Representatives is a complete answer to the point of order that it is legislation. Otherwise the hands of this body would be tied to leaving, just as the House sent it to us, a purely legislative matter which they themselves inserted in an appropriation bill. There can be no point of order as to what the House did on an appropriation bill. Our rules do not apply to the House. The House itself is the judge of its own rules, and when it sends us a bill which clearly contains legislative matter, though it be included in a general appropriation bill, then certainly if we cannot amend that legislative matter, we become an utterly useless part of the legislative process.

Mr. TAFT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. GEORGE. I yield.

Mr. TAFT. The Senator is not suggesting, is he, that there is any general legislation put in this bill by the House of Representatives at any place?

Mr. GEORGE. Oh, yes.

Mr. RUSSELL. The amendment is right in the middle of it.

Mr. GEORGE. The amendment is in the very body of a legislative proposal inserted by the House. The ruling of the Chair is the only logical ruling that can be made. It is unnecessary to make the point that an amendment is germane. That is a defensive argument against striking the amendment, because the point has been made that it is legislative. What is the status of it? Here is a legislative matter. Let us concede that it is purely legislative, inserted by the House under its own rules. It comes to this body. A point of order is made to an amendment offered in the Senate that it is in the nature of legislative matter and cannot be included in a general appropriation bill. When that is urged, and that question is decided as the Chair properly resolved it in this case by submitting it to the Senate, that is the answer. Yes; it is legislative matter, but we are proposing to amend it. We must have the right to amend it, and therefore when it is determined to be a legislative matter by the Senate, the point of order that it is a legislative matter is, of course, of no force or effect. It seems to me it is too clear to admit of argument, and I do not think any other consistent rule could be adopted if this body is to be left free to legislate on what the other body of the legislative branch has itself inserted in the bill.

If the Senate inserted a legislative provision in a general appropriation bill, and if some Member of the Senate proposed from the floor to amend that legislative provision by another legislative provision or by some modification or change of it, certainly the point of order would be well taken because the whole thing would be subject to a point of order—that is to say, the whole amendment as first inserted by the Appropriations Committee, and also the proposal submitted by some Member from the floor to amend it.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TAFT. What is the provision of the House which amounts to legislation? All I can see is general authority to spend $3,600,000,000 for the purposes of the act.

The only legislation I can see is the statement "without regard to section 3651 of the Revised Statutes."

Mr. GEORGE. Mr. President, the Senator from Ohio is exactly in the same boat with the distinguished Senator from Illinois, and both of them are complaining that the umpire made a wrong decision. However, the Senate decided that it was relevant, that it was material, that it was germane. That is the end of the matter. The umpire decided against the Senator.

Mr. TAFT. Oh, no; the question is whether germaneness has the slightest connection with the point of its being legislation. The only legislative matter I can see that the House has inserted is the statement that this shall be done without regard to section 3651 of the Revised Statutes.

Simply because the House opened up that provision, I do not think we are entitled to go further and change all the other features of the Economic Cooperation Act in any way we choose, in violation of the rules of the Senate which say we shall not do so.

Mr. GEORGE. Mr. President, the Senator from Ohio is making a powerful argument against a decision which has just been made by the Senate—a decision that this amendment is germane. In this case germaneness is an absolute, positive defense. It is not a mere plea of "not guilty," meeting the issue on the merits, but it is a positive defense equivalent to any positive defense which might be offered in any court to any cause of action.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. McKELLAR. I wish to call the Senator's attention to the fact that the wording of the House bill was that—

and loss by exchange, $3,568,470,000—

And then this is added:

and (2)—

Thus connecting both of them together—

not to exceed $500,000 shall be available for expenditures of a confidential nature (other than entertainment) under the direction of the Administrator or the Deputy Administrator, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the amount therein specified.

That is legislation pure and simple. There can be no question about it.

What does it do, Mr. President? It gives the Administrator and even the Deputy Administrator certain rights which they do not now enjoy. That is legislation. No one can dispute it. It is there.

Mr. GEORGE. Mr. President, I thank the Senator for submitting the argument, but I do not think we need any argument. The issue has been submitted to the Senate, and the Senate decided that the amendment is germane. That answers the point of order that it is legislation.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. SALTONSTALL. I hesitate to disagree with the distinguished Senator from Georgia, but he has just used the words "germane amendment." I voted in favor of holding the amendment to be germane, but I do not consider that I voted on the question of the amendment's being legislation on an appropriation bill.

I agree with the Senator from Florida and the Senator from Ohio that two questions are involved here, namely, the question of germaneness and the question of legislation on an appropriation bill.

This amendment is germane to an appropriation bill, but it is not necessarily in order if it is legislation on an appropriation bill. It seems to me that we can vote that it is germane to the appropriation bill and still have a question, to be presented to the Senate, as to whether it is legislation on an appropriation bill.

It seems to me that now the question of a point of order as to the amendment's being general legislation is open, even though it has been decided to be germane to an appropriation bill. The appropriation is the granting of funds for a present-day policy of government. A legislative amendment is a change in a policy of government. That is why legislation cannot be added to an appropriation bill.

This is germane to an appropriation bill, but not necessarily germane to a legislative provision.

I most respectfully say to the Senator from Georgia that he confuses the two points when he says that the question of germaneness and the question of legislation on an appropriation bill are one and the same thing.

Mr. GEORGE. Mr. President, I appreciate the admonition of my distinguished colleague and friend, the Senator from Massachusetts; but there can be no issue of germaneness, unless the amendment is germane to something inserted in the bill by the House of Representatives.

If the Senator's position were correct, then on any sort of an appropriation measure if we were to do anything by way of amendment to a part of the appropriation fund, that would be a germane amendment. But I do not think so.

If I may be pardoned for the comparison, let me say it is exactly comparable to a situation in which a person is indicted for murder. He might defend by saying "I am not guilty," or he might offer an affirmative defense that he was utterly crazy when he committed the act. In that event the authorities could not do anything to him, unless he subsequently recovered his sanity.

So, when someone makes the point of order here that an amendment is legislation on the appropriation bill, the answer is, if that point can be sustained, "Yes, it is; but it is absolutely germane to something already put in the bill."

Otherwise we would deliberately tie our hands; and the House could do whatever it pleased to do, but we could not touch that action on the part of the House except to vote it either up or down.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. MYERS. Under the Senator's proposal, is it not possible for the Senate to determine whether the amendment is germane?

Mr. GEORGE. That is correct.

Mr. MYERS. As a result, we no longer give any effectiveness to the point of order that the proposal is legislation. Is that correct?

Mr. GEORGE. No; we do not give any effectiveness to the point of order, because the Senate has deliberately recorded itself contrary to its previous judgment of fact. Sometimes I have seen the Senate do that, I may say.

Mr. MYERS. But in the future, in connection with any similar provision, the Senate can say it is germane; the Senate can say that an amendment in the nature of legislation came to us from the House of Representatives, and, therefore, after such a vote, no longer can a point of order be raised as to whether the matter is legislation on an appropriation bill.

Mr. GEORGE. That is exactly true. But I do not mean to say that the Senate would so vote if there were no basis for such a vote.

In this case I think it is germane; but I would be most reluctant to assume that the Senate would ever say that something is germane if it had no possible basis upon which that statement could stand.

Mr. MYERS. It opens the door to that.

Mr. GEORGE. Yes; it opens the door. But the door is always wide open for us to vote as we please.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. ANDERSON. Following the suggestion made by the distinguished senior Senator from Ohio [Mr. TAFT] are we to understand now that the rule is that if an appropriation bill is before the Senate and the Senator from Arkansas [Mr. MCCLELLAN] proposes his economy amendment and asks whether it is germane, a mere vote of the Senate that it is germane would obviate the two-thirds rule under which the Senate has heretofore operated? Is that correct?

Mr. GEORGE. If the amendment were germane, and the Senate so held.

Mr. ANDERSON. If he so proposed, then the two-thirds rule would be out. Is that correct?

Mr. GEORGE. Yes; the two-thirds rule has nothing to do with it, if it is germane. But of course the Senate must make that decision.

Is the Senator willing to have the House write legislation in an appropriation bill, and then have the Senate foreclosed from amending it or changing it?

Mr. ANDERSON. No; but I would say to the Senator from Georgia that in the Senate I voted on an issue to which the two-thirds rule was applied. I refer to the economy motion made by a Senator on the other side of the aisle. The motion carried by a majority, but it did not receive a two-thirds vote. Now I understand that, the next day, all it would be necessary to do would be to ask that it be declared, by majority vote, to be germane, and then the motion could be adopted.

Mr. GEORGE. Yes, Mr. President; it is possible for the Senate to do that, if the Senate wishes to stultify itself. But I would not assume that the Senate would wish to do so. If the Senate wishes to do that, it may do it. There is no power on earth that can keep the Senate from casting a foolish vote or one wholly untenable, if it wants to do so.

Mr. President, it seems to me too clear to permit of argument that the appeal should be overridden, and the Chair should be sustained; otherwise we cannot preserve freedom of action in this body. One way of preserving our freedom of action is to be able to offer amendments so long as they are germane to something the House has embedded in the legislation we are asked to confirm or approve.

The VICE PRESIDENT. Let the Chair state that, as he understands, the debate is now proceeding on the appeal from the decision of the Chair.

Mr. LUCAS. Mr. President, the Senate of the United States is about to make one of the most far-reaching and momentous decisions from the standpoint of parliamentary law it has been called upon to make since I have been a Member. I always dislike to disagree with the very able and eminent Senator from Georgia, but, Mr. President, just so surely as we permit the ruling of the Chair to stand, we open the door in the future to all types and kinds of legislation to be proposed by the Appropriations Committee.

Mr. President, I do not say the Senate will ever stultify itself by doing that, but I say the door is wide open to turn over to the Appropriations Committee not only the appropriations which come before the Senate, but also the legislative policy of this great deliberative body. If this ruling is to be followed in the future, then the rule requiring a two-thirds vote before a legislative amendment could be added to an appropriation is to be disregarded. A majority will be able to write any type of legislation upon an appropriation bill it may desire. It has been done in the past. It will be done again. Every Senator knows that appropriation bills have come from the Appropriations Committee to the Senate without House legislation contained therein, and yet the Senate committee would seek to add legislation of its own upon the bill. I would not charge the committee members with stultifying themselves by so doing.

As Senators know hundreds of times the two-thirds rule has been invoked. But had they known the situation as developed today, all that would have been necessary to do would be for Senators merely to say "We do not think it is germane," followed by a majority vote sustaining the germaneness. As a result, the two-thirds rule would be gone, and the Appropriations Committee, powerful as it is now, would practically take over the Senate of the United States and run it. That is the trend, Mr. President, based upon all these amendments in the bill before us.

Mr. President, the Appropriations Committee has certain duties to perform. The committee has no right to write into an appropriation bill legislation of this

kind unless the two-thirds rule applies. The Senate should have the right to apply the rule, when the point is made that an amendment constitutes legislation upon an appropriation bill. Notwithstanding the one ruling in the past which the Chair cited, I maintain that that ruling should be overturned in the interest of orderly procedure in the Senate, in the interest of keeping the Appropriations Committee from becoming the one and only committee in this body that will control practically everything that comes along. If that committee can write this kind of legislation into an appropriation bill, I do not care what comes up next in the way of an appropriation; other types of legislation will be written into it, and the Appropriations Committee will be making all the legislation for the Senate of the United States.

Mr. ANDERSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from New Mexico?

Mr. LUCAS. I yield to the Senator from New Mexico.

Mr. ANDERSON. If there were a legislative bill to create funds for the taking of a census, would it be possible to put a poll tax rider on it?

Mr. LUCAS. It is possible to do anything, under this ruling. In other words, when a poll-tax rider is put on an appropriation bill, or a census bill, and the majority says it is germane—that makes it so.

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. LUCAS. I yield.

Mr. WHERRY. But the Senate would make the determination of whether——

Mr. LUCAS. Of course, they would.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. Certainly.

Mr. WHERRY. I am having a hard time. Well, go ahead.

Mr. LUCAS. The Senator never had a difficult time with me.

Mr. ANDERSON. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. ANDERSON. Does the Senator not believe a majority might vote for the poll-tax rider?

Mr. LUCAS. The Senator knows, if a poll-tax amendment were tacked onto an appropriation bill, it would be voted to be germane. The great majority of people believe in anti-poll-tax legislation, and Senators would vote their political convictions, whether such an amendment were germane or not. Everybody knows that to be so.

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. LUCAS. I yield.

Mr. WHERRY. Mr. President, does the Senator recall that before the vote was taken, the minority leader rose to address the Chair, and propounded a parliamentary inquiry?

Mr. LUCAS. That is correct.

Mr. WHERRY. The parliamentary inquiry was, if the Senate decided that the amendment was germane, whether that in itself made a determination of the point of order that had been made by the majority leader. Every Senator heard that parliamentary inquiry. The Chair said in his opinion the point of order made against legislation in the bill would be decided adversely, if the Senate voted that the amendment was germane.

Now, for the majority leader to say that the Appropriations Committee is taking over the Senate, when Members of the Senate heard and knew, when they voted on the question whether the amendment was germane, they would settle the issue, is certainly beside the point. It is not an issue at all. I am a member of the Appropriations Committee. I say to you, Mr. President, it is one of the finest committees in the United States Senate. [Laughter.] That applies to all its members. They all deserve praise. They have had great debates among themselves, and there have been some very close votes on certain issues, and on these amendments. But I ask, Mr. President, on the point made by the distinguished Senator from Georgia, are we going to permit the House of Representatives repeatedly to write legislation and limitations on appropriations bills and have no recourse ourselves?

Mr. MAGNUSON. Why does not the Senate committee cut out such matter.

Mr. WHERRY. Mr. President, may I continue?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. LUCAS. I yield.

Mr. WHERRY. As I was saying, is the House to be permitted continually to write legislation and limitations in appropriation bills without our being able to make a point of order against such provisions? Is our own right to be foreclosed, either in the Appropriations Committee or on the floor of the Senate, so that, instead of the Appropriations Committee being all powerful, their power is to dwindle until it has no rights and we are not event coequal with the House of Representatives? Are we not coequal with the House of Representatives? My position is that when the Senate voted on the question germaneness it voted with the full knowledge that the point of order would not lie, if there was any merit to the argument made before the vote was taken on the germaneness of the amendment. I think the point or order does not lie, and I shall therefore, vote to sustain the decision of the Chair.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. LODGE. Mr. President, I merely want to say to the Senator from Illinois that I think his argument in this instance is completely sound. During the years I have been in the Senate, going back to January 1937, I have come to appreciate the fact that the rule which requires a two-thirds vote for suspension, in order to attach legislation to an appropriation bill, is the one thing which stands between the Senate and chaos. It is the one thing which enables business to be transacted in an orderly way. If we nullify that rule, it means that there will be unlimited legislation on appropriation bills, and the President will be absolutely helpless to deal with the situation, because the only way he can cope with it is to veto appropriation bills and paralyze the operations of the Government. I say to the Senator from Illinois that if this Pandora's box is opened as it looks as though it might be today, every Senator will live to regret it.

Mr. PEPPER. Mr. President the issue now before the Senate is whether the decision of the Chair shall be sustained. I shall vote in favor of the appeal and against the decision of the Chair. In doing so it seems to me that all I shall be voting for is that when the question of germaneness is decided by the Senate, that vote does not preclude the Chair, when, subsequently, a point of order is made that the matter in controversy is legislation on an appropriation bill, from himself passing upon such a point of order.

I venture to suggest that the parliamentary way by which this matter would ordinarily have been handled would be this: The question of relevancy and germaneness to be decided by the Senate does not necessarily have to relate to something which came over from the House of Representatives. It might relate to a matter put into a bill by the Senate Appropriations Committee. The rule itself speaks in the alternative, as the Senator from Ohio has emphasized, about germaneness and about general legislation on an appropriation bill. As I mentioned a while ago, the rule of relevancy and germaneness is to be decided by the Senate, but the question whether a point of order should be sustained on the ground of legislation in an appropriation bill is decided by the Chair. Therefore they are, of necessity, two matters and two separate issues. All the Senator from Ohio [Mr. TAFT] invites us to do is to say that by the decision of the Senate on the matter of relevancy, when subsequently a point of order is made, the Chair is not precluded from passing his own judgment upon the validity of a subsequent point of order.

In this particular case the second and most important question is, What must the subject of legislation coming over from the House have been, and must the matter in issue be relevant to that legislative provision. That is what the Senator from Ohio pointed out awhile ago. Does the House of Representatives have the power of putting one legislative proposal in a whole appropriation bill, and has the Senate the power to put in any matter of legislative character merely because there is one in another part of the bill?

The Senator from Tennessee, the able chairman of the committee, read line 10 down to line 16 and claimed that was legislation incorporated by the House of Representatives. Suppose it is. We are talking about an amendment which goes from line 4 down to line 9. The two deal with entirely different subjects.

The legislation to which the able chairman called our attention deals with a confidential fund of $500,000 which the Administrator might employ. The Senator from Arkansas is offering legislation which deals with the subject of surplus farm commodities.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TAFT. I thought this particular amendment was germane, and there was no suggestion that the germaneness related to what the House of Representatives had put into the bill in the way of legislation. The question was, Was it germane to the whole Economic Cooperation Administration? It seemed obvious to me that it was; but I certainly did not intend to vote on the question of whether this amendment and amendments which the House has put into the bill might be called general legislation.

So it seems to me the question we passed upon has no relation to what the House put into the bill. The Chair may rule, if he so desires, that the House has opened this particular subject, and he may find this is germane to what the House put in. But that is not the question on which the Senate voted. The Senate voted on whether the particular amendment was germane to the whole program. That is why I voted "yea." If I had been asked to vote on whether it was germane to some legislation the House placed in the bill, I should have voted "nay." That was not the question before the Senate.

Mr. PEPPER. That is the point I wanted to emphasize. The Chair did not present to the Senate the question whether the matter in issue was relevant to lines 10 to 16 of the appropriation bill. I wanted to suggest that the Chair is not precluded, by that rule of relevancy and the decision of the Senate in favor of relevancy in this case, from subsequently passing upon the point of order made by the able Senator from Illinois [Mr. LUCAS].

The VICE PRESIDENT. The Chair would like to say in that connection that it is not the duty of the Chair to point out to the Senate to what provision an amendment is germane or in what respect it is germane to the whole bill. The rule takes that entirely out of the hands of the Chair and submits it to the Senate, as to whether it is germane. The Senate must make up its own mind as to what provision it is germane to or whether it is germane to the whole bill. That is not one of the functions of the Chair, under the rule.

Mr. PEPPER. That is the point the Senator from Florida inquired about a while ago. Is it conclusively presumed when the Senate decides an amendment is relevant or germane, that it is not only germane or relevant, but it is also germane and relevant to a legislative provision in a bill which came over to the Senate from the House of Representatives?

I venture to suggest that that is a nonsequitur. It would seem to me once the question of germaneness is decided affirmatively by the Senate, then when the Senator from Illinois made the point of order that, assuming it to be germane, it is legislation on an appropriation bill, and therefore it is in violation of the rules of the Senate, the Chair would have to determine whether it was not only germane, as the Senate decided, but whether it was legislation on an appropriation bill. The Chair would have to look at the amendment in question to see whether the House of Representatives had put in a legislative provision on that particular subject, dealing with the matter of surplus agricultural commodities. If the House had put in an amendment or a provision dealing with the disposal of surplus agricultural commodities, then the Senate would certainly be at liberty, as the Senator from Georgia said, to alter a legislative provision sent to us by the House or Representatives; but then it would have been up to the Chair to have seen whether there was a legislative provision dealing with the subject, which came from the House of Representatives, dealing with a confidential fund. Then, if the Chair found that the House of Representatives had placed a provision in the bill dealing with surplus agricultural products——

Mr. WHERRY. Mr. President, may we have order?

The VICE PRESIDENT. The Chair pounds the desk and repeatedly asks the Senate to be in order, and the Chair obtains order. Then, as soon as a Senator begins to speak, disorder is resumed. The Chair hopes that the Senate will respect not only the Chair's desire to keep order, but will respect the rights of the speaker who has the floor, the Senator from Florida.

Mr. PEPPER. Mr. President, I was saying that the Senate having decided the matter of relevancy or germaneness in the affirmative, then it would seem to me that when the Senator from Illinois made the point of order that the subject in question was legislation on an appropriation bill, the rule contemplates that the Chair will look at the subject matter in question to see if there is a provision of a legislative character on that subject in the bill coming over from the House of Representatives. If the Chair should find that there is, then the Chair should hold, conformably to our precedents, that in spite of the fact that it was legislation, nevertheless, there was in the bill from the House of Representatives a basis for legislation on this subject, the Senate had adjudicated that it was germane, and therefore the point of order would be overruled.

If that is what the Chair wishes to hold, I think we would come out probably at the same place, but only if the Chair holds that the action of the House of Representatives legislating on confidential funds makes the Senate able to put in legislation on any subject without its being liable to a point of order.

I do not believe the Chair really intends to hold that the House can put a legislative provision in a bill dealing with any subject and that that opens the door completely to the Senate to deal legislatively with any other subject.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCLELLAN. I ask the able Senator whether, if $200,000 of the $500,000, to which the Senator refers, as placed in a confidential fund by legislation, came over in the House bill, it does not come out of the appropriation with which we are dealing.

Mr. PEPPER. Certainly; everything comes out of the appropriation.

Mr. McCLELLAN. Very well. If the House can legislate to take a part of that appropriation and apply it for one purpose, cannot the Senate amend it to make a part of it apply to another purpose, and would not that be legislation on legislation that came over from the House, and therefore germane?

Mr. PEPPER. The House did not legislate on the subject on which the Senator calls on us to legislate—that is, agricultural surpluses. The House legislated on confidential funds for the Administrator to use, and I say to the able Senator that I do not see how he can take that subject, on which the House was legislating, and claim that that is legislation on the subject we are dealing with when they are entirely unrelated.

Mr. CONNALLY. Mr. President, I wish to say just a word on this matter. I am supporting the view of the Senator from Ohio, and I apologize to the Chair for not supporting his view.

The VICE PRESIDENT. The Senator does not have to apologize to the Chair.

Mr. CONNALLY. I always like to support the Chair when possible.

The VICE PRESIDENT. The Chair has decided the question as the rules are laid down, and as they have been interpreted from time to time as shown by the precedents. Every Senator has a perfect right to disagree with the Chair and to vote to overrule him.

Mr. CONNALLY. Certainly; I agree with the Chair—in that particular. [Laughter.]

Mr. President, when I was a young country lawyer——

Mr. WILEY. How long ago?

The VICE PRESIDENT. A Senator cannot interrupt another without rising to his feet.

Mr. CONNALLY. Not so long ago as the Senator from Wisconsin. When I was a young country lawyer frequently we would be discussing decisions, and an older lawyer would say, "Have you looked at the statute? Have you gone back and looked at the statute instead of theorizing about so and so, and so and so?"

Mr. President, I think this is a good time for us to look at the statute a moment. I read from subdivision 4 of rule XVI:

> No amendment which proposes general legislation shall be received to any general appropriation bill.

What does that mean? It does not say, "No amendment unless it is germane shall be received." It does not say "No amendment written in longhand shall be received," or "No amendment written on a typewriter shall be received," or that "No long amendment shall be received." It says, "No amendment which proposes general legislation

shall be received to any general appropriation bill." That is pretty plain language. It says that no amendment, none, no kind of an amendment. Then it proceeds. If the rule were going to stop there, that would be one thing. But something is added:

Nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

That is wholly a different matter. That relates to the bill. If one offers an amendment, under subdivision 4 it has to be germane, under this pronouncement of the rule. When we vote on whether an amendment is germane, we are voting under that angle of the rule, not as to whether it is legislation, but whether it is germane. It is proper for the Chair to submit the question, and it is for the Senate to decide whether it is germane. But it does not decide whether or not it is legislation.

Nor—

Here is another "nor," meaning in addition to and different from the subject which went before, because it says "nor." It does not say "and."

Nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

Mr. President, in all frankness, it seems to me that there are two angles to this matter. First—and it is put first in the rule—the primary objective of that provision is to take care of legislation. First, is it legislation? Yes. Well, then it is out. That is what the rule says, "No amendment."

Of course, some of the rulings and decisions may have had some modifying effect on that; but I am going back to the rule, I am going back to the statute, I am going back to Blackstone.

No amendment which proposes general legislation shall be received to any general appropriation bill.

That is for the Chair to decide. It says further:

Nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

It may not violate the first section of the rule, but if it does not, it still has to be germane to the language to which it is offered, and that is what we voted on, as to whether it was germane or not.

I submit, Mr. President, that the appeal is in the interest of the maintenance of this rule. If a bare majority of the Senate can declare something germane and therefore make it in order when the rule says it is not in order, we turn the Senate over to the whim, the caprice, the momentary passion, and the momentary prejudice of its Members, instead of holding on to the rules and the regulations as the Senate has known them over the years.

Mr. HOLLAND. Mr. President, it is with great diffidence that I advance one thought which it seems to me has not been brought into the debate. I do so with the utmost of respect for the Presiding Officer, for the distinguished Senator from Georgia, and for others who have expressed a contrary view.

It seems to me it is wholly clear from reading the rule that there are two separate questions, the one of germaneness "to the subject matter contained in the bill," and the other the question of whether or not "general legislation shall be received" to an appropriation measure.

Mr. President, the sole point I wanted to make is that there is no identity or sameness at all between the question of whether the proposed amendment includes new legislation and the question of whether it is germane. The fact that those two questions are entirely different may be shown with complete conclusiveness when it is remembered that the amendment might have dealt with an appropriation which had already been authorized but which was not at all consistent with the subject matter of the bill, in this case the appropriation bill for ECA.

Suppose the amendment had suggested the inclusion in the bill of an appropriation for an authorized project of reclamation in the West; or an authorized project dealing with the Panama Canal; or a project, already authorized, for the building of a new Federal building at some place in this Nation, having no relation at all to the ECA. It could not be suggested that new legislation was proposed, because it would not be new legislation. The project would have been authorized already, wholly subject to appropriation at the proper time, but nevertheless it would not have been germane to the subject matter of the bill then under consideration. How could it be said, by the most extreme stretch of the imagination, that the fact that the Senate would have ruled in such a case that that measure was germane, even if it were not at all, could have been the same in any sense as a ruling that it was or was not proposed new legislation?

Mr. President, the two questions are entirely separate and distinct, and I support entirely the position taken by my distinguished colleague, the senior Senator from Florida [Mr. PEPPER], by the Senator from Texas [Mr. CONNALLY], by the majority leader, the Senator from Illinois [Mr. LUCAS], and by the senior Senator from Ohio [Mr. TAFT]. I think we would get into a very difficult and dangerous position, from which we would have tremendous difficulty in extricating the Senate in the future, if we should hold that the question of germaneness was the same question as whether or not new legislation was presented.

Mr. President, they are two separate and entirely distinct issues, and a ruling on the one does not in any way involve a ruling or expression upon the other.

Before closing, I want to say that I fully and completely support the position of my distinguished colleague to the effect that the question of germaneness is addressed, by a provision of the rule, to the discretion of the membership of the Senate, and the other one involves a complete exclusion of a certain field from proper legislation, subject only to the ruling of the Presiding Officer, and subject, of course, to the rule that the Senate can waive its rules by a two-thirds vote of the Senate.

Mr. FULBRIGHT. Mr. Senator, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. With regard to the point made by the Senator from Georgia that it is no defense on our part to say that we will be dominated by the House, is not the answer to that that we can strike anything the House puts in any bills? We do not have to accept what the House puts into bills. It is not necessary, is it, that we accept without an amendment anything the House puts into a bill? We are always at liberty to strike anything the House puts into a bill.

Mr. HOLLAND. The Senator is, of course, correct. By simple amendment, voted by a majority of the membership in attendance at any time such a matter can be stricken from the bill. But it is sought, by the ruling made by the distinguished Presiding Officer—and I say this with all respect to him—to hold a monstrous thing, namely, that the question of germaneness is the same question as the question of whether or not general legislation is proposed. The two things are as different as black is from white. They have no identity or sameness whatever.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. LONG. I should like to ask the Senator from Florida how he interprets the provision respecting germaneness. I have not heard it argued that this amendment was germane to any provision in the bill. It is my understanding that the House adopts legislation. The Senate only has the right to amend and change that legislation on an appropriation bill, insofar as the Senate amendment is germane to legislation inserted by the House. That would be my impression. In this case the House inserted certain general legislation. The Senate committee inserted other general legislation which had no relationship whatsoever to the House legislation. Now where is the germaneness between those two?

Mr. HOLLAND. In answer to the Senator from Louisiana the junior Senator from Florida would simply say that his understanding is that the question of germaneness is limited by the words in the rule "germane or relevant to the subject matter contained in the bill." That would mean the subject matter contained in the bill as it reaches the Senate.

Mr. LONG. Does the Senator see any subject matter in this bill that contains any germaneness to the amendment offered by the Senate committee?

Mr. HOLLAND. That is a question which has been decided by the majority of the Senate, and differently from the way the junior Senator from Florida would decide it.

The point I make, which is completely fundamental to the debate now taking place, which we must recognize if we are to give force and effect to the words and ideas in the rule, is that germaneness is not the same thing at all as the question

of whether or not new general legislation is involved. They are two separate items, two separate and distinct objectives, dealt with in a separate and distinct way under the rule, and we would, I think, creep into fundamental error which would be most mischievous in the future, if we should hold that the mere voting that a proposed amendment was germane would mean that the Senate was then and thereby excluding itself from consideration of the other question, and depriving its presiding officer of jurisdiction to pass upon a mandatory requirement of a rule which in the interests of sound legislation provides that no new legislation can be engrafted upon an appropriation bill.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. MAGNUSON. The senior Senator from Georgia made the point, as did the Senator from Arkansas, that if the ruling of the Chair was not sustained we would put ourselves in a position where we would be helpless to consider or to change House legislation which was put in an appropriation bill contrary to the House rules, with which I am familiar. Is not the fact that this legislation is before us, and was not knocked out by the House, probably the best reason not to have such a ruling as suggested here today? Otherwise the House will legislate contrary to its rules, and we, in the Appropriations Committee, will legislate contrary to our historic rules, and so the two committees will become two legislative committees.

I express this point: Why is it not the duty of the Senate Appropriations Committee, instead of trying to sustain such a rule, to protect themselves against House legislation that is contrary to House rules, long standing House rules? Why do they not knock out legislation which the House sends to the Senate on an appropriation bill, which is contrary to the rules of both Houses, that can be done in committee?

Mr. HOLLAND. If the remarks of the Senator are posed as a question I would simply say that I think the complete answer is that the Senate has the power at any time during the consideration on the floor——

Mr. MAGNUSON. Or in the committee.

Mr. HOLLAND. On bills coming from the House, or any other bill, to strike out words in a bill which it does not wish to have remain in the bill, whether it thinks that those words were placed in it in violation of the rule, or whether those words simply do not comport with the thinking of the majority of the Senate. The Senate has the complete right, of course, to change the phraseology of the bill during the course of its consideration.

Mr. RUSSELL. Mr. President, I speak with some trepidation after the arguments made by the distinguished Senator from Texas [Mr. CONNALLY] and the distinguished junior Senator from Florida. I would not speak on this occasion were it not for the precedents involved in this matter and my familiarity with them.

This is no new question in the Senate, Mr. President. It has been before this body on numerous other occasions. I happen to recall that in 1943 there was pending before the Senate the agricultural appropriation bill. As the chairman of the Subcommittee on Agricultural Appropriations, I was entrusted with the responsibility of handling that bill on the floor. I have just glanced briefly through the RECORD of the debate which then took place and of the points of order which were made at that time, and the parallel between the two cases is very striking. The Senator from Ohio [Mr. TAFT] has not changed his mind. He made exactly the same argument in 1943 that he has made upon the floor of the Senate today with respect to legislation on an appropriation bill.

The Senate on that occasion sustained the ruling of the Chair by a vote of 54 to 23, after discussion of the rules which covered one whole day's time.

Mr. President, with all due deference to those who have spoken on subdivision 4 of rule XVI, it very clearly covers two separate and distinct situations. The first sentence of the rule, which the Senator from Texas emphasized so eloquently, and with such force, provides that "no amendment which proposes general legislation shall be received to any general appropriation bill." That language is tied in with the argument that was made by the Senator from Illinois about the two-thirds rule. If a general appropriation bill comes before this body with no legislation in it, any amendment offered that contains any legislation falls under the inhibitions of the first sentence of subdivision 4 of rule XVI. It is subject to a point of order. The Chair would sustain it.

The only way the Senate can possibly consider it is on a motion to suspend the rule, which requires a two-thirds vote, that is, if legislative matters are offered de novo in the Senate of the United States. But if legislation be found in the bill which comes to the Senate from the House of Representatives, the first line of the rule, relating to general legislation and making it subject to a ruling of the Chair which would strike it down, and therefore require the operation of the two-thirds rule, does not apply. If there is legislation in the bill as it comes from the House, then the sole question that confronts the Senate of the United States when an effort is made to amend the House provision, is, first: "Has the House legislated in this bill?" Second: "Is the amendment which is offered in the Senate germane to the House legislative provision?"

Mr. President, no one would contend that the House has not legislated in this bill, not merely in small degree; but the House of Representatives sent this bill to the Senate shot through and through with legislative provisions. As a matter of fact, the greater part of the bill is purely legislative. It comes to us in that condition.

Now what are the Senate's rights in the matter? Can we not even offer any legislative amendment to the bill?

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. That is the very point that interests me. Does not the Senate have the right to strike all the language of the bill as it comes from the House?

Mr. RUSSELL. Yes.

Mr. FULBRIGHT. Can we not strike the whole bill and rewrite it?

Mr. RUSSELL. Of course, we can. If the Senate merely wishes to say, "We are going to content ourselves with taking out legislative provisions that the House has put in," we could do it. The committee could do it if sustained by the Senate. But sometimes it is highly desirable to have some legislation in an appropriation bill, and it happens in this case that some of these provisions are of tremendous importance to the ECA.

Mr. FULBRIGHT. Why were they not placed in legislation which was recently considered on that subject?

Mr. RUSSELL. I cannot answer that question.

Mr. FULBRIGHT. The purpose of the rule is to have legislation placed in a legislative bill, rather than in an appropriation bill.

Mr. RUSSELL. Yes, but without legislation in this bill the ECA would be terribly handicapped. The House went so far as to legislate and say that the whole $3,568,000,000 could be spent over a period of ten and a half months. It is purely legislation. It repeals laws that require the appropriations to be apportioned over a period of 12 months. It says the funds can be spent in ten months.

Mr. FULBRIGHT. Mr. President, if the Senator is correct, it seems to me we might as well eliminate the Foreign Relations Committee and set aside all that it has reported to us.

Mr. RUSSELL. Mr. President, I hope the Senator from Arkansas does not take anything I have said as a reflection on the Foreign Relations Committee. If there is any reflection on that committee, the Senator from Arkansas makes it himself, because he is saying that these things should have been provided for in the authorization for the ECA.

I am saying that the Economic Cooperation Administration, after examining all the administrative provisions enacted for its guidance, found they were insufficient, and went to the House of Representatives and requested these legislative provisions, and the House placed them in the bill. Whether they should have been handled by some committee other than the Appropriations Committee, I shall not undertake to discuss. But they now are before us in an appropriation bill.

Mr. FULBRIGHT. Of course, I do not wish to cast any reflection upon either committee. However, the logical result of the argument that there is no limit upon this power is certainly that it does away with the necessity for any legislative committee in this connection.

Mr. RUSSELL. Mr. President, I would be the last to argue that there is no limit on the power. Without a rule in the House of Representatives, a point of order would have stripped the bill of all these provisions.

I am not too familiar with the rules and practices of the House of Representatives, but I understand that if the House Committee on Rules gives a rule that is not subject to points of order, then a point of order cannot be made. Undoubtedly that was done in this case.

But whatever the reasons, the bill comes before the Senate with these legislative provisions. They were not stricken out in the House of Representatives on a point of order; and after they have passed the House, I do not believe a point of order can be raised against them in the Senate, because this matter comes to us from the other body, and we undertake to respect the rights of the other body.

So, whether they are for good or for evil, the legislative provisions are here. They were inserted by the House.

As I have understood the matter, we have only two things to decide. The first is whether these provisions are legislation. The other is whether the amendment offered by the Senator from Arkansas is germane to the legislative provisions which came to us in the bill as passed by the House. That matter might be debated.

I do not like again to undertake to canvass this entire subject and to show where these provisions are germane, after the Senate by vote has already determined that they are germane. I thought they were germane, and for that reason I supported the amendment.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. Yes, if the Senator will indulge me for a moment further.

In supporting the proposition that the amendment is germane, no Senator is committed to vote for the amendment. The distinguished Senator from Virginia, who voted that the amendment was germane, suggests that he will oppose the amendment, and I am glad to state that he opposed it most vigorously in the committee.

Now I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, since I think the Senate has taken a very bad step in ruling that this amendment is germane, will the Senator tell me in what way he considers it germane?

Mr. RUSSELL. I shall be glad to do so. I think the Senate should have some leeway in determining the germaneness of matters sent to it by the House of Representatives in an appropriation bill. According to the House provision, $3,568,470,000 can be exchanged by the Administrator, without regard to section 3651 of the Revised Statutes, to pay out of these funds any losses incurred by the exchange. There is no legislative restriction on it. That is a legislative matter relating to the entire appropriation. It gives the Administrator new powers, by legislation in an appropriation bill, powers that are not mentioned in the authorization bill for the ECA.

Mr. McKELLAR. Or anywhere else.

Mr. RUSSELL. It is neither in the ECA law or in any other law. But insofar as this act is concerned, it specifically repeals any other law, and of course that makes it legislation, entirely apart from the funds covered by this bill.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BREWSTER. I shall not make an argument about the amendment and the rule as applied to the amendment, inasmuch as very many wise men, Members of the Senate, have spoken about this matter. However, I have been impressed with the suggestion that this would confer an enormous and very dangerous power on the Senate because the Senate might determine the matter in almost any way it chose, and then Government might be in pandemonium.

In this connection, I should like to repeat some words of the late Senator Walsh, of Montana, whom I am sure all of us respect and honor. With regard to the question of legislation, he said:

> If a power is to be denied because it may be abused, government must cease.

It seems to me that has a certain relevancy here, when it is charged that if this power is lodged in the Senate, the power may be abused. Obviously the power must be lodged in men, and obviously men may abuse the powers given them. But if for that reason the power is to be denied, then government must cease.

It seems to me we must consider that point when we determine whether to sustain the ruling made by the Chair and when we consider the question of whether this power should be lodged in the Members of the Senate of the United States.

Mr. RUSSELL. Mr. President, I thank the Senator from Maine for his contribution.

The other provision of this bill which writes entirely new legislation, which undertakes to earmark a part of the specific appropriation to which the committee amendment relates, is the House provision setting up $500,000 of this fund for—

> Expenditures of a confidential character * * * under the direction of the Administrator or the Deputy Administrator, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the amount therein specified.

Mr. President, every line and every word I have just read is legislation. It is not to be found in the original ECA Act. It takes from this same fund $500,000 and earmarks it for a specific purpose, and it does so by means of bald legislation.

I think it could be argued with great force that the amendment proposed in the committee by the Senator from Arkansas is not legislation because it is a limitation upon an appropriation in a very strong sense of the word. In debating the question of the propriety of the Chair's ruling, I do not wish to be put into the position of conceding that the amendment is legislation in the first instance, because it merely limits a part of the funds provided under the budget estimates. I do not think it was legislation in the first instance; but, of course, for the purpose of this argument and this debate, I have to concede the point the Senator has made, namely, that it is legislation.

Mr. President, as I have said, this rule relates to several entirely separate propositions. One of them is where legislation is offered de novo. The second and third lines on this page relate to amendments which are offered as legislation, and the question is whether they are germane.

Mr. LONG. Mr. President, will the Senator yield at this point?

Mr. RUSSELL. I yield.

Mr. LONG. Does the Senator from Georgia see any germaneness between the amendment the committee has here offered and the legislation which was inserted in the bill by the House of Representatives?

Mr. RUSSELL. Of course, Mr. President, I understood the argument made by the distinguished Senator from Florida, who took the position that inasmuch as the House has legislated in regard to the $500,000, which has been earmarked for confidential purposes, we are confined in our deliberations, as a coequal body in the Congress of the United States, to dealing with the same matter which the House wrote into the measure. However, I shall never concede that the Senate is so circumscribed in its power.

Mr. LONG. Is it not true that although we are not limited, yet we must act within the limitations of our own rule which says we must vote to sustain a point of order as to legislation on an appropriation bill?

Mr. RUSSELL. Of course, Mr. President, the question of germaneness is something which every Senator must pass upon for himself, subject to the dictates of his own wisdom and his own conscience.

In my judgment, this amendment is germane because there are in the bill as passed by the House two legislative provisions which directly affect and control the expenditure of this part of the appropriation. The Senate provision likewise would influence and control the expenditure of this part.

If I may continue for a few moments, let me say there are some Members of the Senate who still recall the services of the former distinguished Senator La Follette, of Wisconsin. In my judgment, a finer parliamentarian than the distinguished Senator La Follette never served in this body.

When this identical issue was previously before the Senate, as appears on page 5546 of the CONGRESSIONAL RECORD of June 9, 1943, Senator La Follette discussed this matter at some length. After urging the Senators to dissociate themselves from the mere merits of the amendment involved, and to make their decision on the appeal from the decision of the Chair on the parliamentary situation which was presented to the Senate, he said:

> The issue at stake is the question of whether or not the Senate shall maintain its unbroken precedents holding that it has the right to explore any field of general legislation which the House of Representatives may have entered. That, Mr. President, is a vital question; it is a question of great, extreme

importance as affecting the power of the Senate.

Senator La Follette argued the matter at some length, saying that where the House of Representatives had legislated the Senate had the power to invade that field. He did not say the Senate had to work the exact row that was hoed by the House of Representatives, but he said the Senate had the power to invade the entire field.

Mr. President, the House of Representatives has dealt with two matters which vitally affect the expenditure of these funds; and I insist that under the rules the Senate has a right to deal with the expenditure of the funds, and that the decision of the Senate in declaring the amendment to be germane should be adhered to.

Of course, Mr. President, the question of the decision as to the germaneness of this amendment to legislation already in the bill places the distinguished President of the Senate in a position where the only ruling he could possibly make, as he has properly done, was to the effect that the question of whether it is legislation has now nothing to do with it.

The question was never raised, or was never seriously argued, that the House did not legislate in the bill. That is generally conceded. That led to one issue in regard to the amendment, as to whether it was germane. I may say to the distinguished Vice President, it so happens that in 1943 almost the same issue arose as to whether the proponents of an amendment could insist that it was germane to a provision of the House bill, and the parliamentary rulings and the discussion of the subject cover some 40 or 50 pages of the CONGRESSIONAL RECORD.

We should, Mr. President, as was said by the Senator from Wisconsin on that occasion, forget our personal prejudices and vote in conformity with the precedents of the Senate, and vote to sustain the right of the Senate as a coequal body in our scheme of Government to deal with these matters to the same degree the House has dealt with them.

Mr. LONG. Mr. President, it occurs to me, so far as the Senate being a coequal body with the House is concerned, we can simply change our method as to how we shall handle appropriation bills and have no limitation so far as the two-thirds requirement is concerned. We have that right, but we have not chosen to exercise it.

Mr. RUSSELL. Of course, the two-thirds rule was never intended to apply to conditions as they are today. The two-thirds rule was written specifically to permit the Senate, if it wished, in derogation of its own rules, to insert legislation in a general appropriation bill. It has no relation whatever to such a situation as confronts the Senate at this time.

Mr. President, some Members have spoken somewhat disparagingly of the efforts of the Committee on Appropriations. I have been a member of that committee for something like 16 years. I have found that when the Appropriations Committee agrees with a Senator, it is a very fine committee. If it happens to take any action contrary to the views of the individual Senator, the committee is most likely to be roundly abused for arrogating to itself such broad power. The Senate Appropriations Committee is said to be undertaking to set the policy of the Government of the United States, in cases where the action of the committee happens to be contrary to the opinion of the individual Senator. But I merely want to point out, Mr. President, that the Senate Appropriations Committee is a creature of the Senate, just as is every other committee of this body. The Senate Appropriations Committee can write no law. It cannot even appropriate any funds. It comes back to the Senate of the United States, and every action taken by the committee must be reviewed on the floor of this body. As to whether the committee has acted wrongly or rightly is a question to be worked out under the rules of the Senate, just as the action of any other committee is to be reviewed by the Senate of the United States.

True, indeed, there are special rules that apply to the Committee on Appropriations, rules which limit and restrict the committee much more than in the case of any other committee of the Senate, and properly so, because standing committees should preserve their powers and prerogatives. After all, the Senate Appropriations Committee can do nothing without the approval of a majority of the Members of this body.

Mr. STENNIS. Mr. President, will the Senator yield for a moment at that point?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. RUSSELL. I yield.

Mr. STENNIS. I am very much interested in what the Senator is saying. Unfortunately I have been called out of the Chamber once or twice. As I understand, the Senator makes a very decided distinction between legislation de novo in the Senate side of the Capitol, and a situation in which we have legislation coming from the House.

Mr. RUSSELL. No, Mr. President; I only emphasize the distinction. The distinction has been made in the Senate since its earliest days, since the infancy of the Republic, and I doubt not that the Parliamentarian of the Senate could show the distinguished Senator from Mississippi innumerable cases which confirm every word I said, that rule XVI applies to two propositions, and applies to them separately. It applies in one instance to legislation de novo and in another to amendments which are offered to legislative provisions coming from the House.

Mr. STENNIS. That is the point I want to make. Of course the Senator from Georgia can see that point clearly, and he makes a strong argument. But the Senator does have an unbroken line of precedents sustaining his position, does he not?

Mr. RUSSELL. There is no question about that. I read the language of Senator La Follette for the purpose of emphasis, and I point out that on the same occasion, June 9, 1943, the Senate made identically the same exception, distinguishing between an amendment to a legislative provision in a House bill, and a general legislative proposition. It is very clear.

Mr. STENNIS. I wish to thank the Senator.

Mr. RUSSELL. Mr. President, I wish now to address myself very briefly to another suggestion which has been made here. Senators have said the ruling of the Chair sets a terrible precedent, and they look over to those of us who happen to hail from the southern part of the United States, who are opposed to some of the so-called civil-rights legislation. They intimate that it will be used as a precedent to pass all the civil-rights legislation on appropriation bills. Mr. President, I intend to express my views as a Senator. I feel impelled to do so without regard to the consequences, and I do not yield very readily to such implied threats as are carried in that suggestion. Of course the majority of the Senate of the United States in the last analysis can do whatever it wants to do. If a majority of the Senate were so corrupt, so devoid of any sense of honor or any instinct of patriotism as to desire to do so, they could fraudulently change the records of the Senate and make it appear that an amendment to the Constitution of the United States had been submitted to the States without the required two-thirds vote. Why undertake to frighten people with that argument, Mr. President? If the Chair ruled that a measure of the character referred to was legislation and should not be received as an addition to the appropriation bill, the majority of this body of course, if it were so devoid of conscience or reason or of principle or of the instincts of manhood, could override the decision of the Chair and by a simple majority could append such legislation to a general appropriation bill or to any other bill. There is no rule of germaneness that affects other legislation, and so amendments could be offered to them without even raising the point, if Senators saw fit to stoop to such depths as that, to take such unconscionable action as that, and to be guilty of conduct that would be so unworthy of one privileged to sit as a Senator in this Hall.

Mr. President, in my view, the ruling of the Chair was eminently correct, and if the Senate sees fit to overrule the decision of the Chair, it is reversing all the precedents of this body since the time of the writing of the Manual by Thomas Jefferson. There has always been a distinction between legislation offered in the first instance to an appropriation bill and legislation offered to amend legislation that is already contained in a House bill.

Of course, we have no rule of relevancy as to legislative measures that are reported by other committees. The opinion of the Chair should be sustained. If I were to venture into the realm of fancy I could imagine the Chair disliked very much to make the ruling he made, because he indicated by some of his gestures and by his words and by little mannerisms, which is about as far as the Vice President can go in expressing his opinion, that he would have liked very

much to be rid of this particular amendment. But he has done his duty as he saw it. He has made this ruling, based upon parliamentary law and the precedents of the Senate. Without regard to our views on the instant amendment, or its merits, as a parliamentary matter, it is the duty of the Senate to sustain the ruling of the Chair.

Mr. FERGUSON. Mr. President, if this matter were not so important to the Senate, in the opinion of the Senator from Michigan, he would not rise to address the Senate. But the precedents of the Senate are important. I have said on this floor before that the Senate can deliberately set aside its precedents if it desires to do so. That is the province of the Senate, and I think it is well that it is so. But I believe we ought to weigh well what we are doing.

I have great difficulty in following the ruling of the Chair, based on the words of the fourth paragraph of rule XVI, that the vote on the question of germaneness settled the question of the amendment being general legislation. In my opinion a reading of paragraph four of rule XVI will not sustain the ruling of the Chair. But I made a deeper search to ascertain whether there were some precedents which in effect amended and added to rule XVI, paragraph 4, and I believe that I find that to be the case. It has been said that all amendments proposing general legislation on an appropriation bill must have a two-thirds vote in order to be adopted. A reading of rule XVI, paragraph 4, discloses no such requirement. It is only by virtue of a precedent, which is read into rule XVI, that a two-thirds vote is required.

There is no mention, for instance, in rule XL, that a two-thirds vote is required. It would be well to read the rule, because these questions arise in the Senate from time to time:

Rule XL. No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on 1 day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, rule XII.

So there is no two-thirds vote requirement by virtue of rule XVI. It is only by virtue of the precedents of the Senate that a two-thirds vote is required to suspend a rule. So I take for granted that if we are going to say that the two-thirds vote rule is involate, we should be very careful to see that no other precedent of equal dignity and importance, or which is equal in age, should be set aside. Why do I say that? Because I find that in 1936 this very question was before the Senate of the United States. I think we should go back and see what was ruled in 1936. I think we should be careful in the Senate to vote on merit rather than through emotion. It is not how I feel about the amendment offered by the Senator from Arkansas that is important. I may feel that I should vote against it when it comes up. I may feel that I would rather have it so that a two-thirds rule would be required to defeat it, because that would be on the side on which I wanted to vote, and therefore my vote would be more important in defeating it under a two-thirds vote requirement. But, Mr. President, we are dealing here with precedents of the Senate, and I say that if we deliberately overrule what the Chair had decided, we are doing the same thing we would do if we were to overrule him when he said a two-thirds vote was necessary, because precedents are involved other than the written rules of the Senate.

So, Mr. President, I want to go back and see what happened in 1936:

On May 29, 1936, the Senate had under consideration H. R. 12624, a deficiency appropriation bill, and the question was on agreeing to a reported amendment inserting a provision that no Federal project should be undertaken or prosecuted with funds provided in the bill unless and until an amount sufficient for its completion had been allocated and set aside therefor, and the President was authorized to restore to the Federal Administrator of Public Works out of the funds appropriated in said bill any sums which were, by order of the President, impounded or transferred to the Federal Emergency Relief Administration from appropriations theretofore made and allocated to public-works projects.

Mr. Robinson of Arkansas——

A predecessor of the able Senators from Arkansas—

proposed an amendment providing for the appointment of two boards—(1) the Florida Canal Board, and (2) the Passamaquoddy Board, which should review, respectively, the Atlantic-Gulf ship-canal project, Florida, and the Passamaquoddy tidal-power project, Maine; and prescribing certain duties of the said boards.

Mr. Adams made the point of order that the amendment proposed general legislation, that it was not germane to the reported amendment, and that it was therefore not in order.

Mr. Clark made the point of order that the amendment was general legislation, and under rule XVI, was not in order.

The Presiding Officer (Mr. Hatch) overruled the point of order made by Mr. Clark, from which ruling Mr. Clark took an appeal.

After a quorum call, the Presiding Officer made the following statement:

"The Senator from Missouri [Mr. Clark] made the point of order that the committee amendment amounted to general legislation. The Chair overruled the point of order made by the Senator from Missouri because title II"—

That is the whole title of this appropriation bill—

"because title II of the bill as it came from the House of Representatives contained many matters of general legislation, and in such a case the rule laid down by Vice President Marshall is stated thus"—

Here is where we get the precedent. It is stated by Vice President Marshall. I have checked with the Parliamentarian and he tells me there are many other precedents to the same effect, or I would not be here quoting only one precedent. I quote the rule as stated by Vice President Marshall:

" 'Notwithstanding the rule of the Senate to the effect that general legislation may not be attached to an appropriation bill, still when the House of Representatives opens the door and proceeds to enter upon a field of general legislation which has to do with a subject of this character, the Chair is going to rule—but, of course, the Senate can reverse the ruling of the Chair—that the House having opened the door, the Senate of the United States can walk in through the door and pursue the field.' "

It appears to the junior Senator from Michigan that that is a precedent, based on other and prior precedents, which is in accordance with what the Chair has ruled today. No; it is not in rule XVI, section 4; neither is the two-thirds rule to which I have referred, in relation to voting on general legislation.

What happened there is just about what is happening here. I read further:

In view of that ruling, the Chair announced that the point of order made by the Senator from Missouri was overruled. From the ruling of the Chair the Senator from Missouri has appealed to the Senate.

That is what the Chair has done today. He has overruled the point of order, saying that it is not general legislation because it applies to legislation in the House bill.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TAFT. I did not understand the Chair to say that. He said that, in his opinion, it was general legislation, but because the Senate had voted it was a germane provision, he would overrule the point of order of the Senator from Illinois. He did not put it on the ground that the House had opened the matter. The whole basis was on the fact that the Senate had voted it was a germane amendment, which to my mind, has nothing whatever to do with the question of whether the House put legislation into an appropriation bill or did not put it in, or whether it is general legislation or is not general legislation.

Mr. FERGUSON. I hope I have not misquoted the Vice President; but if I have misquoted him, I will go back to what he ruled. After all, we have become accustomed to following rulings rather than just what was said in connection with the ruling.

I take it that what happened this morning happened in the case to which I have been referring. I read:

In view of that ruling, the Chair announced that the point of order made by the Senator from Missouri was overruled. From the ruling of the Chair the Senator from Missouri has appealed to the Senate.

That is what is being done here today.

The decision of the Chair was sustained: Yeas 53, nays 19.

In regard to the point of order made by Mr. Adams against Mr. Robinson's amendment, the Vice President stated that, under the rule, the Chair did not have the right to determine the germaneness of an amendment, and thereupon submitted this question to the Senate, which decided the amendment was germane: Yeas 53, nays 21.

That will be found, Mr. President, in the Senate Journal, Seventy-fourth Congress, second session, page 333.

So I say to the Senate that we have before us a rule which has been varied and changed by precedent—or let me say that the precedent existed even with the adoption of the rule, and it has been followed since the adoption of the rule. So we find ourselves with a rule which appears to be that if an amendment is to House legislation—and that is what

the Chair has ruled—then it does not require a two-thirds vote, but merely a majority vote.

Mr. President, as I said before, we always find some jealousy in the Senate on the part of one committee as against another. We hear the Appropriations Committee criticised because it is trying to take over the jurisdiction of the entire Senate. Being a member of the Senate Appropriations Committee, let me say that not only do we not take over the jurisdiction of other committees of the Senate, but the other committees authorize appropriations before we can even vote on them.

Do other committees ever seek to take away the power of the Committee on Appropriations? Let me cite one example of which I spoke yesterday. Last May a committee, not the Appropriations Committee, authorized Mr. Hoffman to use a billion dollars borrowed from the Reconstruction Finance Corporation. That was to all intents and purposes appropriating a billion dollars, because what could the Committee on Appropriations do when it came before it? Certainly we always find that one committee will take some jurisdiction, or think it is taking some jurisdiction, from other committees. But, after all, the Senate does not have to accept what the committees do. The Senate makes the laws by its votes, rather than from a consideration of whether a matter came from a committee unanimously or by a vote of just one majority. A committee does not make legislation because it reports a bill unanimously. The Senate must vote.

As I said, Mr. President, when I rose, I believe it is very vital whether or not we are to follow precedents, or are to vote to set them aside, and from today on feel that we have a new precedent, to the effect that in case the House does legislate we in the Committee on Appropriations cannot hold hearings and vary a bill so as to come before the Senate with an amendment and have it acted on under the two-thirds rule. As I said before, I believe that the two-thirds rule is more sacred than the precedents which we are discussing here today, that the Committee on Appropriations has a right to amend an appropriation that comes from the House in an appropriation bill, and the Senate has a right to vote on it.

Mr. LONG. Mr. President, I wish to say only a few words on the subject before the Senate. Frankly, I believe I can speak without prejudice on it, because I am in favor of the substance of the amendment which we are considering. If the amendment of the Senator from Arkansas comes up for a vote, I propose to vote for it. I believe it is a good amendment. But we are to decide what the rules mean, and I am attempting to decide on what I believe the rules mean to me.

As I read rule XVI, subsection 4, I find that it provides:

> No amendment which proposes general legislation shall be received to any general appropriation bill.

At that point there is a comma, and for the purpose of that part of the rule I believe we could stop right there, because everything else deals with germane amendments to appropriation bills, involving the question whether an amendment is germane or not, dealing with matters which are not legislation on an appropriation bill. We could stop right there.

> No amendment which proposes general legislation shall be received to any general appropriation bill.

If we assume for one moment that the amendment of the Senator from Arkansas is legislation of this character, then we immediately have to concede that it shall not be received to an appropriation bill, under the rule. From there on we go into the subject of germaneness, and in that connection I wish to say that I believe that the matter of germaneness is an entirely different proposition from the question of whether it is legislative.

Then the rule proceeds:

> Nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

Mr. President, that is very plain. One may desire to amend an appropriation bill, not in a legislative matter, but may want to modify the manner in which the money is to be allocated or may want to change the amount.

If the amendment is not legislation, it must necessarily be germane, otherwise it could not be received.

From that point the rule proceeds:

> Nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

Let us look at that clause again:

> Nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

Here we come to a situation which in my opinion is before us now. We have an amendment which is legislative in character. It is amending a section in which the House has already inserted general legislation. Let us see what the rule says:

> Nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

We are amending a bill which the House has passed. What is the relationship between the amendment we are proposing and any legislative matter which the House is proposing? I see no relationship whatsoever so far as those such items are concerned. Therefore, Mr. President, I am constrained to believe that this amendment is legislation, and that the legislation is not germane to the legislation proposed by the House in this appropriation bill. Under this rule I believe we are permitted to modify and amend legislative amendments proposed by the House insofar as our legislative amendments are germane to the House amendments, but not to the extent that our amendments may be germane to any appropriations item in an entire general appropriations bill. Otherwise the Appropriations Committee, could completely take over the functions of the Armed Services Committee, for example, if the House inserted one minor legislative amendment in a general appropriations bill for all the armed forces.

I cannot reach the conclusion that this amendment is not legislative or that it is germane to any legislative provision in the bill to which my attention has been directed. It is true that this is a bill appropriating money for the European recovery program. The House legislative amendments do relate to the European recovery program which we propose to amend. But, we are now offered legislative amendments which although germane to the general appropriation bill are not related to the legislative amendments inserted by the House. Therefore, it would seem to me that the amendment is in violation of our rules, and that it is not germane to the legislation which has been inserted in the bill—and I am thinking of House provisions which are legislative in character. On the other hand, the committee amendment is legislation. So it would appear to me that it is absolutely in violation of the rules.

We have the right to suspend the Senate rules, we have the right to change them, and we have the right to insert new matter if we see fit, but it seems to me that we need a two-thirds majority to suspend the rules in order to insert such legislation as is proposed.

The VICE PRESIDENT. The question is on the appeal of the Senator from Ohio [Mr. TAFT] from the decision of the Chair.

Mr. McKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hickenlooper	Morse
Anderson	Hill	Mundt
Baldwin	Hoey	Murray
Brewster	Holland	Myers
Bricker	Hunt	Neely
Bridges	Ives	O'Conor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Robertson
Capehart	Johnston, S. C.	Russell
Chapman	Kefauver	Saltonstall
Connally	Kem	Schoeppel
Cordon	Kerr	Smith, Maine
Donnell	Kilgore	Sparkman
Douglas	Knowland	Stennis
Downey	Langer	Taft
Dulles	Lodge	Taylor
Ecton	Long	Thomas, Okla.
Ellender	Lucas	Thomas, Utah
Ferguson	McCarran	Thye
Flanders	McCarthy	Tobey
Frear	McClellan	Tydings
Fulbright	McGrath	Vandenberg
George	McKellar	Watkins
Gillette	McMahon	Wherry
Graham	Magnuson	Wiley
Green	Martin	Williams
Gurney	Maybank	Withers
Hayden	Miller	Young
Hendrickson	Millikin	

The question is on the appeal of the Senator from Ohio [Mr. TAFT] from the decision of the Chair overruling the point of order made by the Senator from Illinois [Mr. LUCAS].

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CORDON. Mr. President, I am not going to delay the Senate for more than a moment or so. I should like to call attention to exactly what the Senate is doing when it votes on the appeal. Preliminary thereto I wish to address a parliamentary inquiry to the Chair.

The VICE PRESIDENT. The Senator will state it.

Mr. CORDON. If by the vote on the appeal the Chair is overruled in his position, then the effect of that vote will be to sustain the point of order made by the majority leader, and the decision of the Senate will have been that the so-called McClellan amendment is general legislation, and subject to the point of order?

The VICE PRESIDENT. If the decision of the Chair is overruled by the Senate, it will be equivalent to holding that the Chair was wrong in deciding that the point of order was not well taken and in overruling the point of order.

Mr. CORDON. And in that event the effect will be that the Senate has said that the amendment is legislation in an appropriation bill, and must come out of the bill, or go to a vote after two-thirds of the Senators present have set aside the rule?

The VICE PRESIDENT. The Chair thinks that that is substantially the effect of the vote of the Senate to overrule the decision of the Chair.

Mr. CORDON. Mr. President, as I have heard the argument on appeal, it is addressed not to the question of whether the amendment is legislation, but as to the correctness of the Chair's ruling on what is really a question of what application we shall make as to the provisions of paragraph 4 of rule XVI, which, first, prohibit general legislation as an amendment to an appropriation bill, and, second, legislation which is not germane to the bill.

Frankly, in my view, the Chair was wrong in his reasoning, if I may be so bold as to make the statement. But as to his decision the Chair was correct.

I call attention to the fact that the action taken in overruling the decision of the chair is a finding that the McClellan amendment is generally legislation on an appropriation bill. That is wholly separate and apart and has nothing to do with the question of whether a decision of germaneness carries with it a prohibition against bringing up the question of whether the same amendment is general legislation. They are two separate questions. So I simply call the attention of the Members of the Senate to the fact that when they vote on the appeal they are voting on the substantive proposition of whether the McClellan amendment is or is not legislation.

I call attention, Mr. President, to paragraphs 2 and 4 of rule XVI, wherein there is a prohibition against any amendment in the nature of a restriction upon an appropriation, but that the prohibition goes only to such restriction when the restriction comes into effect only upon the happening of some contingency. There is no prohibition against a restriction on an appropriation when it is absolute. The McClellan amendment is a restriction upon the use of appropriated funds. There is no contingency. The McClellan amendment simply restricts a certain portion of the money to a special use, or to no use if it be not used for that purpose. That is as far as it goes. Under those circumstances I hope the Senate will sustain the Chair. For that reason, and without reference to any question whether germaneness forecloses the other question of legislation upon an appropriation bill, I think the decision of the Chair should be sustained.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Am I correct in my understanding of the parliamentary situation that the question before the Senate is, Shall the decision of the Chair be sustained? A vote for sustaining the decision of the Chair is a "yea" vote, and a vote to overrule the decision of the Chair is a "nay" vote.

The VICE PRESIDENT. The Senator is correct.

In view of the importance of this vote, and the entire question, and without in any way arguing in behalf of his decision, the Chair feels that he ought to explain to the Senate what it is he decided.

Under the rule the question of germaneness may be brought up with respect to an amendment which does not contain legislation. The question of germaneness can be brought up on any amendment, in which case it must be submitted to the Senate for a decision.

Surrounding this particular amendment there are two questions, the question of germaneness and the question whether it is legislation on an appropriation bill. The ruling of the Chair was based upon interpretations of rule XVI, paragraph 4, over a period of years, which have modified the rule, just as decisions of courts modify statutes in many cases by interpretation.

At the time the Senate voted on the question of germaneness, the Chair felt that it was voting whether, notwithstanding the quality of the amendment as legislation, it was nevertheless germane and therefore in order. In a sense it was a sort of double-barreled vote—that it was germane, but legislation, apparently amending other legislative provisions of the bill. The Chair assumed that the Senate knew what it was doing when it voted that this amendment was germane, involving the question of legislation. That question having been passed upon by the vote of the Senate, the Senate recognizing the legislative character of the amendment, and having sustained its germaneness notwithstanding that character, the Chair therefore felt that subsequently a point of order on the ground that it was legislation did not lie. That was the basis of the Chair's decision.

The question is, Shall the ruling of the Chair stand as the judgment of the Senate? Senators who are in favor of sustaining the ruling of the Chair will vote "yea." Senators who are in favor of overruling the decision of the Chair will vote "nay."

The Secretary will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN voted "nay," when his name was called.

Mr. LONG. Mr. President, has it ever been decided that this amendment is actually general legislation?

The VICE PRESIDENT. The roll call is in progress. One Senator having voted, the question is not now open for discussion.

The roll call will proceed.

The legislative clerk resumed and concluded the calling of the roll.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. MCFARLAND] are absent on public business.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] is absent because of illness. If present and voting, the Senator from New Jersey would vote "nay."

The Senator from Nevada [Mr. MALONE] is detained on official business.

The result was—yeas 38, nays 51, as follows:

YEAS—38

Baldwin	Hickenlooper	Millikin
Brewster	Hoey	Mundt
Bricker	Hunt	Robertson
Bridges	Jenner	Russell
Butler	Johnson, Colo.	Schoeppel
Cain	Johnston, S. C.	Smith, Maine
Capehart	Kem	Stennis
Chapman	McCarran	Thomas, Okla.
Cordon	McCarthy	Wherry
Ecton	McClellan	Wiley
Ellender	McKellar	Williams
Ferguson	Martin	Young
George	Maybank	

NAYS—51

Aiken	Hill	Murray
Anderson	Holland	Myers
Byrd	Ives	Neely
Connally	Johnson, Tex.	O'Conor
Donnell	Kefauver	O'Mahoney
Douglas	Kerr	Pepper
Downey	Kilgore	Saltonstall
Dulles	Knowland	Sparkman
Flanders	Langer	Taft
Frear	Lodge	Taylor
Fulbright	Long	Thomas, Utah
Gillette	Lucas	Thye
Graham	McGrath	Tobey
Green	McMahon	Tydings
Gurney	Magnuson	Vandenberg
Hayden	Miller	Watkins
Hendrickson	Morse	Withers

NOT VOTING—7

Chavez	McFarland	Smith, N. J.
Eastland	Malone	
Humphrey	Reed	

The VICE PRESIDENT. On this vote the yeas are 38, and the nays 51. So the ruling of the Chair does not stand as the judgment of the Senate.

Mr. LUCAS. Mr. President, I renew my point of order to the amendment on page 4, which I understand is the pending question. I make the point of order that it is legislation on a general appropriation bill.

The VICE PRESIDENT. The Senator from Illinois makes the point of order that the amendment referred to is legislation on an appropriation bill, and therefore in violation of rule XVI of the Senate rules.

Does the Senator from Illinois wish to discuss the point of order?

Mr. LUCAS. It has been discussed, Mr. President extensively. I am sure the Chair is thoroughly familiar with the language referred to and the issues involved. Not only is it legislation upon an appropriation bill, but it is also a limitation.

I make the point of order against it. There cannot be any question about it. The distinguished Senator from Arkansas gave notice, on July 12, that he

would move to suspend the rule, thereby recognizing, himself, that the provision is subject to a point of order.

The VICE PRESIDENT. Does the Senator from Arkansas wish to argue the point?

Mr. McCLELLAN. Mr. President, I merely wish to state that my filing of the notice that I would move to suspend the rule does not amount to conceding that I think the provision is subject to a point of order. In order to be prepared, under the rules, I had to file the notice one calendar day ahead, I believe. For that reason, I took the precaution of doing so, in order that the amendment might be brought up if the Chair so held.

Mr. President, I should like to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLELLAN. Following this point of order, if it is sustained, are other points of order to the bill in order?

The VICE PRESIDENT. The Chair cannot pass on that question until some point of order is made.

Mr. McCLELLAN. Very well.

The VICE PRESIDENT. Under the circumstances, the Chair feels he is compelled to sustain the point of order which is made against this amendment on the ground that it is legislation on an appropriation bill.

Earlier in the day the Senate by its vote decided that the amendment was germane to some legislative provision of the bill, but the Chair is unable to determine to what provision of the bill it is germane. Therefore that point is out.

Undoubtedly this amendment is legislation to an appropriation bill. Whether it is legislation offered to some legislative provision inserted by the House of Representatives, the Chair is unable to determine. That is a matter which is subject to some confusion.

Therefore the Chair sustains the point of order.

The Chair will state that the giving of notice of intent to file a motion to suspend the rule is not binding insofar as constituting a determination of the status of the provision in question. The Chair does not regard it as binding on that matter at all.

Mr. McCLELLAN. Mr. President, I make the point of order that the provisions on page 4, lines 17 to 21, inclusive; on page 5, beginning with line 8, through line 20 on page 6; on page 8, beginning in line 22, and continuing through line 2 on page 9; on page 9, beginning in line 4 and continuing through line 7; on page 12, in lines 4 through line 10; on page 12, from line 22 through line 7 on page 13; in section 202, on page 14, beginning in line 16 and continuing to line 8 on page 15, are amendments which are legislation on a general appropriation bill. I make that point of order.

Mr. LUCAS. Mr. President, I thought we were reading the bill amendment by amendment. I now submit a point of order against the point of order the Senator from Arkansas has just made, namely, that we should proceed with the bill and the amendments in order and should determine whether the points of order which have been raised by the Senator from Arkansas are to be sustained by the Chair or by the Senate. I think all these points of order are premature at this time.

The VICE PRESIDENT. The Chair would hear argument as to this matter. Of course the Chair has not carefully studied all the amendments which are now alleged to be legislation on an appropriation bill. In order to sustain the point of order raised by the Senator from Arkansas, the Chair would have to hold that all or some of the amendments are legislation on an appropriation bill and are in violation of the rule.

Under the rule, the Chair thinks the Senator can make a point of order against the entire bill on the ground that it contains many legislative propositions, and the Chair believes it is not necessary to read the bill page by page or to reach the amendments one by one, because when the rule provides that a point of order may be made against an amendment which itself is legislation, it also says that a point of order may be made against a bill if it contains items of legislation in violation of the rule.

If these are not legislative matters, of course, the point of order would not lie. If they are legislative matters, the Chair would like to know wherein they are.

Mr. McCLELLAN. Very well. I call the attention of the Chair to the amendment on line—

Mr. LUCAS. Mr. President, if the Senator will yield, in order to expedite matters, I will agree with the Senator from Arkansas that all the amendments he has pointed out constitute legislation on an appropriation bill. At the proper time when the amendments are reached in order I am prepared to make points of order. There can be no question about these amendments being legislation upon an appropriation, or a limitation in some way, or asking for affirmative relief, as I remember one of them does, and so forth.

The VICE PRESIDENT. Does the Senator from Illinois agree with the Chair's view that where a general appropriation bill contains numerous amendments which are in violation of the rule against legislation, a point of order may be made, under the rule, against the whole bill, and that it automatically goes back to the Appropriations Committee?

Mr. LUCAS. I do not think there is any question under rule XVI that a point of order of that kind can be made. Mr. President, the point of order made at this time, whereby the bill goes back to the Appropriations Committee, merely delays action on the ECA bill. I presume the committee could now, if it so desired, strike all the amendments from the bill and make it comply with the rule if they wanted to do that, without sending it back. It is perfectly all right with me, whatever the Appropriations Committee desires to do along that line. We have wasted a good deal of time, at least 2 or 3 days, upon the bill. I can stay here as long as anybody else, but at some time or other action must be taken on the ECA appropriation bill. I think the Senate is ready to act upon it today, and to act upon these amendments. I am not attempting to tell the Appropriations Committee what it should do, of course, but I believe it is an unwise course to send this bill back in view of all the debate we have had upon it up to this time. It seems to me the sooner we can get through with it and get it to conference, the better off we will all be, because a number of other appropriation bills are pending, and I presume probably this same situation will arise again. The question of germaneness will arise, and before we get through we will probably have all the appropriation bills back with the Appropriations Committee. I am glad I am not on that committee, because on it devolves a tremendous amount of work. It is perfectly all right with me, if they want to go back to work again.

The VICE PRESIDENT. As the Chair suggested a day or two ago in a situation of this sort, heretofore where there was a threat that a bill would automatically be returned to the committee under the rule, the committee has withdrawn the offensive amendments and offered them one at a time as floor amendments. The Chair has no control over that. That has been done heretofore. But if it is not desirable that the committee do that in this case, there is only one course open to the Chair, and that is to sustain the point of order of the Senator from Arkansas, which automatically returns the bill to the committee.

Mr. LUCAS. That is what I had in mind a moment ago, when I said it would do that very thing, because the Chair did make that statement a few days ago.

Mr. President, this is a tremendously vital appropriation bill, and I had hoped the Appropriations Committee might do that very thing, so that the Senate could proceed with it, in view of the fact that we have reached this advanced stage in the consideration of the bill and the various amendments thereto.

The VICE PRESIDENT. The Chair is not undertaking to suggest to the committee, but in order that the parliamentary situation may be understood, the offering of the identical amendments individually one by one would not send the bill back to the committee, in the event the Chair sustained points of order against them.

Mr. PEPPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Florida will state it.

Mr. PEPPER. Is it possible to send the bill back to the committee with directions of the Senate to delete the amendments which have been made the subject of a point of order by the Senator from Arkansas, and to report the bill again to the Senate?

The VICE PRESIDENT. No; the bill is already back in the committee, automatically, on the ruling by the Chair that it contains legislative provisions. No motion is in order, in the view of the Chair, at this time, to instruct the committee with respect to anything in the bill.

The Chair would like to state to the Senate that he regrets deeply the legislative and parliamentary procedure

which results in the position in which the ECA bill finds itself. But as the Chair views it, there was no other ruling he could make under the rules of the Senate, in view of the admission of both sides that the bill contains legislative provisions.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. LUCAS. Is the decision of the Chair subject to appeal?

The VICE PRESIDENT. The Chair supposes that all decisions are subject to appeal, but, where the rule is so obvious, so automatic, of course, if the Chair were overruled on it——

Mr. LUCAS. Mr. President, I am not going to take an appeal. I merely made the inquiry.

The VICE PRESIDENT. The Chair supposes that any ruling of the Chair, except one or two set out in the rules, not involved in this matter, is subject to appeal.

Mr. MAGNUSON subsequently said: Mr. President, I had intended to make some remarks on the amendment which has now been ruled out by the Chair. I ask unanimous consent to place those remarks in the RECORD.

The VICE PRESIDENT. Is there objection to the request?

There being no objection, Mr. MAGNUSON'S statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON IN OPPOSITION TO ECA AMENDMENT, FREEZING FUNDS FOR SURPLUS AGRICULTURAL PRODUCTS.

Mr. President, on pages 4 and 8 of the bill making appropriations for foreign aid for the fiscal year ending June 30, 1950, there appears the following committee amendment: "The amount required to finance the procurement of surplus agricultural products (declared surplus by the Secretary of Agriculture) of the kinds and in the quantities set out in the ECA budget justification submitted to the Senate, shall be available only for such financing."

I am reliably informed that the effect of this amendment would be to freeze approximately one billion dollars of ECA fund. This is accomplished in the amendment by requiring the Administrator to use approximately this amount to finance agricultural products declared surplus by the Secretary of Agriculture. The use of the funds would be restricted in amounts to those products set forth in the justfications ECA presented to the Senate Appropriation Committee. In these justifications, ECA listed under food and agricultural imports the following items: bread grains, fats and oils, sugar, meats, dairy products, other foods, coarse grains, protein feeds, fertilizer, cotton, wool, other fibers, tobacco, and other agricultural products. You will note there are three catch-all categories in this list: "other foods," "other fibers," and "other agricultural products." The justification indicates that ECA estimates purchases of these commodities in fiscal 1950 will total $1,874,000,000 and that of this amount $1,673,000,000 will be spent in the United States.

We know from past experience, Mr. President, that the products included in the ECA justification most likely to be in surplus are the following: wheat, corn, tobacco, and cotton. These are what we might call the Big Four products. In my judgment it will be very detrimental, not only to the ECA program, but to all other agricultural products to give cotton, tobacco, wheat, and corn the extremely preferential treatment implied in this amendment.

I recognize there is a growing sentiment in this country for congressional action which will serve as a directive to the ECA Administrator, forcing him to in turn force Marshall plan countries to buy in the United States whenever a domestic product is in surplus. To a considerable extent this sentiment is understandable. Taxpayers of this country are providing ECA dollars, out of their pockets, and have a right to expect that maximum attention be given domestic economic conditions and to the plight of any particular industry.

In the Pacific Northwest, for example, the lumber and horticultural industries are in urgent need of export outlets. They are hard hit by the world-wide dollar shortage. They justifiably look to ECA, not only for sympathetic treatment, but for positive action. To date they have been granted a sympathetic ear but little by way of positive results has been forthcoming.

The ECA Admiinstrator is a competent businessman, one of the best our free-enterprise system has produced. Like any good businessman, he is trying to obtain the maximum return for every dollar he spends. In this case he is buying European recovery with the taxpayers dollars made available to him. His efforts in this regard are laudable, but I believe he must give increasing attention to the problems of those American industries which have a historical reliance upon exports—industries which are contributing their share of the tax dollars the Administrator is spending for European recovery.

Senators know I have taken this floor on many occasions to present, as forcefully as I know how, the problems presently confronted by the horticultural industry of this country. Let me repeat just a few of the facts I have previously presented. Prewar the apple growers of the Pacific Northwest consciously and systematically developed foreign markets. The whole industry is geared to exports. Approximately 30 percent of the total apple production was purchased by countries now participating in the Marshall plan. Today the dollar shortage has closed those markets. The only opportunity the industry has to reenter them is through participation in ECA. Last year only $9,600,000 was spent by ECA for fruits, other than dried fruits. The justification presented to the Senate Appropriations Committee this year includes only $9,400,000 for these fruits. That $9,400,000 includes canned fruits, juice concentrates, and fresh fruits. This is a mere drop in the bucket compared to prewar exports.

Before the war, exports of United States horticultural products ranked first in all United States food exports and third in all agricultural exports. Exportation was exceeded only by cotton and tobacco. In fourth place came wheat and flour. From these facts, it is readily understandable why I feel compelled to oppose the amendment. The amendment would virtually foreclose any possibility of the horticultural industry reentering its foreign markets on a basis even approaching prewar levels.

This industry, which prewar ranked first on the list of all food exports, would be relegatsd to insignificant participation in the ECA program.

That the horticultural industry faces an extremely difficult problem has been recognized by ECA, Department of Agriculture, the Senate Appropriations Committee, and the Senate itself. Senators will recall that other Senators and I sponsored an amendment to this year's authorization act, directing the Secretary of Agriculture to determine surpluses of horticultural products by "types, classes, and specifications." The objective of this amendment was to give the Secretary authority to take cognizance of the fact that the industry over the years has developed varieties of apples and pears, for example, peculiarly suited for the export trade. By virtue of the amendment, the Secretary can find that a surplus of export varieties exists, even though the entire crop may not be in excess of domestic requirements.

By adopting this amendment, the Senate gave recognition to the somewhat unique position of this industry. Later the industry presented its problem to the Senate committee considering the agriculture appropriations bill. On page 13 of its report, the committee stated: "The committee recognizes the unique position and need of this industry, arising from the temporary loss of long standing export markets and the inability of the fruit grower to reduce production without destruction of trees and tragic loss of capital investment in packing and other facilities."

The lumbering and horticultural industries have urged other Senators and I to offer amendments to this bill which would earmark certain funds for purchase of their products or, as an alternative, to offer an amendment which would direct the Administrator to force ECA countries to purchase lumber and horticultural products in this country exclusively, whenever there is a surplus.

I have refrained from taking such action. First, because as I have said before, I believe the Administrator is a sensible competent business man. He knows American industry, and within the framework of existing legislation has authority to handle these problems administratively. The European recovery program is a highly complex venture. The Administrator must have flexibility if he is to do the job the Congress and the country want him to do. I serve notice here and now, however, that unless greater attention is given by ECA representatives abroad to our domestic problems, I shall be among those supporting legislation requiring them to do so.

Second, I have refrained from sponsoring such amendments at this time because I believe it inconsistent to oppose the amendment I read at the beginning of these remarks and simultaneously sponsor an amendment earmarking funds for some other product. I believe all segments of our great agricultural industry should be placed on an equal footing. All segments of the industry should have equal opportunity to present their case to the Administrator and he, in turn, to the countries which are beneficiaries of this great venture.

Before concluding I wish to call your attention to several other facets of the problem I have been discussing. The horticultural industry and, in fact, all industries relying on exports, view with great alarm the many bilateral agreements which have been, and are being, negotiated by nations participating in ERP. Unless this tendency is reversed some United States commodities, like fruit, may be permanently excluded from normal European markets.

I recognize, Mr. President, this problem goes beyond the jurisdiction of ECA. I believe, however, that the Administrator and his representatives abroad can do much to counteract it. Certainly the attempt should be made.

Today ECA is the dominating influence in international trade. Without participation in that program, reestablishment and further development of the horticultural industry's European outlets is impossible. The same is true of other segments of agriculture who consciously and systematically developed foreign markets in the prewar era. Congress recognized the truth of these statements by including section 112 in the Economic Cooperation Act itself. This section authorizes the Secretary of Agriculture to use section 32 funds to aid in the reestablishment of export markets for perennial

horticultural crops and others, which may be declared surplus to our need.

The Administrator, by cooperating with the secretary in such an export program, can obtain for participating countries agricultural commodities at 50 percent of total cost. For some reason ECA has not taken full advantage of this very attractive program. I believe much greater use can and should be made of section 112. Here is another instance where Congress has given the Administrator an effective tool to work with, a tool which should be placed in the kit of all of our ECA representatives abroad and used.

I think it would be appropriate for the conferees in their report to include language along the lines implied in these remarks—language which would serve as a guide to the Administrator, when he is attempting to determine congressional intent through study of the legislative history of this bill. I urge those Senators who will represent this body at the conference table to give serious consideration to this suggestion.

Mr. President, for the reasons stated in these remarks, I oppose the amendment which appears on pages 4 and 8 of the pending bill. Again I want to make it clear, however, that unless greater attention is given to the problems of domestic industries by the Administrator, his representatives abroad, and the countries participating in ERP, I shall be among those sponsoring legislation making such action mandatory.

MILITARY RENTAL HOUSING (S. 1184)—CONFERENCE REPORT

Mr. MAYBANK. Mr. President, I submit the conference report on the bill (S. 1184) to encourage construction of rental housing on or in areas adjacent to Army, Navy, Marine Corps, and Air Force installations, and for other purposes, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The clerk will read the report.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1184) to encourage construction of rental housing on or in areas adjacent to Army, Navy, Marine Corps, and Air Forces installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: ", except that where the Secretary of Defense or his designee in exceptional cases certifies and the Commissioner concurs in such certification that the needs would be better served by single-family detached dwelling units the mortgage may involve a principal obligation not to exceed $9,000 per family unit for such part of such property as may be attributable to such dwelling units"; and on page 18 of the Senate engrossed bill, line 22, after the word "defense", insert "or in the public interest"; and the House agree to the same.

BURNET R. MAYBANK,
JOHN SPARKMAN,
PAUL H. DOUGLAS,
RALPH E. FLANDERS,
HARRY P. CAIN,
Managers on the Part of the Senate.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
MIKE MONRONEY,
JESSE P. WOLCOTT,
RALPH A. GAMBLE,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1184) to encourage construction of rental housing on or in areas adjacent to Army, Navy, Marine Corps, and Air Force installations, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4566) to revise, codify, and enact into law, title 14 of the United States Code, entitled "Coast Guard."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 142. An act excepting certain persons from the requirement of paying fees for certain census data;

H. R. 459. An act to authorize the payment of employees of the Bureau of Animal Industry for overtime duty performed at establishments which prepare virus, serum, toxin, or analogous products for use in the treatment of domestic animals;

H. R. 585. An act for the relief of Jacob A. Johnson;

H. R. 1127. An act for the relief of Sirkka Siiri Saarelainen;

H. R. 1303. An act for the relief of Dr. Elias Stavropoulos, his wife, and daughter;

H. R. 1360. An act to extend the times for commencing and completing the construction of a free bridge across the Rio Grande at or near Del Rio, Tex.;

H. P. 2417. An act to authorize the Secretary of the Air Force to operate and maintain a certain tract of land at Valparaiso, Fla., near Eglin Air Force Base, as a recreational facility;

H. R. 2474. An act for the relief of Frank E. Blanchard;

H. R. 2799. An act to amend the act entitled "An Act regulating the retent on contracts with the District of Columbia," approved March 31, 1906;

H. R. 2853. An act to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees;

H. R. 3467. An act for the relief of Franz Eugene Laub;

H. R. 3512. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to authorize the exemption of certain employees of the Library of Congress and of the judicial branch of the Government whose employment is temporary or of uncertain duration;

H. R. 4022. An act to extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Tex., to July 31, 1950;

H. R. 4261. An act authorizing the Secretary of the Interior to issue to L. J. Hand a patent in fee to certain lands in the State of Mississippi;

H. R. 4646. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to lend certain property to national veterans' organizations, and for other purposes;

H. R. 4705. An act to transfer the office of the probation officer of the United States District Court for the District of Columbia, the office of the Register of Wills for the District of Columbia, and the Commission on Mental Health, from the government of the District of Columbia to the Administrative Office of the United States Courts, for budgetary and administrative purposes;

H. R. 4804. An act to record the lawful admission to the United States for permanent residence of Karl Frederick Kucker;

H. R. 5508. An act to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948; and

H. J. Res. 170. Joint resolution designating June 14 of each year as Flag Day.

APPROPRIATION FOR INDEPENDENT OFFICES, 1950

Mr. O'MAHONEY. Mr. President, in view of the fact that the ECA appropriation bill has been, by the ruling of the Chair on the point of order, sent back to the Committee on Appropriations, I desire, if the Senator from Illinois will yield for that purpose, to move that the Senate proceed to the consideration of Calendar No. 639, which is House bill 4177, the independent offices bill for 1950.

The VICE PRESIDENT. The Chair will state that when the Senate took up consideration of the ECA appropriation bill, it temporarily laid aside the unfinished business, which was the minimum wage bill. A motion now to proceed to any other bill would automatically, if agreed to, set aside the unfinished business.

Mr. O'MAHONEY. Mr. President, I would not desire to do that, so that my request, if I may state it as a unanimous consent request, is that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 639, H. R. 4177, which is the appropriation bill for the executive offices and sundry civil offices.

The VICE PRESIDENT. Is there objection to the request?

Mr. WHERRY. Mr. President, reserving the right to object, the unfinished business is the so-called wages and hours bill, is it not?

The VICE PRESIDENT. It is the minimum wage bill. Is there objection to the request?

There being no objection, the Senate proceeded to consider the bill (H. R. 4177) making appropriations for the executive offices and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1950, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

The VICE PRESIDENT. Does the Senator from Wyoming wish the committee amendments considered first?

Mr. O'MAHONEY. Yes, Mr. President. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WHERRY. Mr. President, if I may suggest to the Senator from Wyoming, copies of the bill have not been distributed. We should like to have them before us as we proceed with the committee amendments.

The VICE PRESIDENT. The clerks will submit copies of the bill to Senators.

Mr. WHERRY. I thank the Chair.

The PRESIDING OFFICER (Mr. HOEY in the chair). The clerk will proceed to state the committee amendments.

Mr. O MAHONEY. Mr. President, before that is done, I think I should acquaint the Senate with the fact that except for the appropriation bill for the National Military Establishment, the measure which the Senate is now considering carries the largest sum which has been reported in any other bill. Lest there should be any misunderstanding of the meaning of the size of the appropriation which is here reported, amounting to a little in excess of $7,636,000,000, or approximately one-fifth of the total budget submitted this year, I call to the attention of the Senate the fact that the items are largely war-connected expenditures of one kind or another. In other words, 80 percent of the appropriations contained in the bill deal in one way or another with the fact that we were in World War II and that we are now conducting national defense.

There is a very substantial appropriation for the veterans' services. There is another very substantial appropriation for atomic energy. There are numerous items in the bill which also deal with war-connected expenditures. Of the contract authorizations which are contained in the bill 100 percent have to do with defense or preparations for defense. The exact list is as follows:

For the American Battle Monuments Commission, $5,920,800.

For the Atomic Energy Commission, $702,930,769.

For the Displaced Persons Commission, $4,210,000.

The National Advisory Committee for Aeronautics, $53,710,000.

National Archives for World War II records, $150,000.

Philippine War Damage Commission, $184,800,000.

The Selective Service System, $9,000,000.

Veterans' Administration, $5,587,907,940.

If to those items there be added the appropriation of $66,575,474 for the Maritime Commission, in connection with new ships which are rated by their true carrying capacity, the total amount of war-connected expenditures in this bill is $6,615,204,983; and the contract authorizations for the American Battle Monuments Commission, the Atomic Energy Commission, the National Advisory Committee for Aeronautics, and, again, the Maritime Commission, total $452,189,628, making a 100-percent war-connected contract-authorization phase of the bill.

In addition to that, Mr. President, the bill covers 33 civilian agencies of the Government. Of the 33, 8 made no appeal to the Senate. Twenty-five of them did.

The Senate committee began its hearings on the 11th of May and was not able to report the bill to the Senate until July 8; so that practically 2 months were devoted by the subcommittee and the full committee to the consideration of this measure.

I thought, Mr. President, it was appropriate that this preliminary statement should be made with respect to the character of the bill.

I now ask that the committee amendments be considered.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Executive Office of the President—Bureau of the Budget," on page 4, line 23, after the word "elsewhere", to strike out the comma and "including the salary of the Director at $12,000 per annum so long as the position is held by the present incumbent."

The amendment was agreed to.

The next amendment was on page 5, line 8, after "(28 U. S. C. 2672)", to strike out "$2,983,040", and insert "$3,314,500."

Mr. BRIDGES. Mr. President, in this bill it will be seen that there is a whole series of increases, most of which have to do with additional personnel in the various bureaus and departments. There may be some exceptions, but, by and large, in this country today, the last thing we need in most of the departments is additional personnel. For that reason, I think there is no doubt that the great majority of the departments could get by with their existing personnel. To start with, I think the Bureau of the Budget is one department which could do so. The bill increases the number of personnel in the Bureau of the Budget by 53 individuals, from 481 to 534 persons. For that reason, in a parliamentary sense, I express myself in opposition to the committee amendment and in favor of the retention of the House figure.

Mr. O'MAHONEY. Mr. President, let me say that I appreciate the position of the Senator from New Hampshire. The subcommittee and the committee as a whole scrutinized these various items with great care. Some requests for additions were granted and some were rejected. Those which were granted were granted upon the conviction on the part of the committee that it would be in the interest of good government efficiency and, I may say, economy, that the increases should be allowed. That is particularly true with respect to the pending committee amendment dealing with the Bureau of the Budget. The Bureau of the Budget has been clothed with new functions. The Congress, at this very session, has enacted the bill authorizing the President of the United States, upon the recommendation of the so-called Hoover Commission, to reorganize the Government by submitting reorganization plans to be considered by the Congress. It is well known that that work is under the direction of the Bureau of the Budget.

Mr. BRIDGES. Mr. President, am I to gather from what the Senator says that the purpose of the Hoover Commission's report is to add new personnel? I thought it was to promote efficiency and to reduce expenses.

Mr. O'MAHONEY. The Senator knows there was no such inference to be drawn from anything I said, but I do say to the Senator that the recommendations of the Hoover Commission cannot be effectively carried out unless the Bureau of the Budget is staffed so as to do the work. This is the first time in my experience as a member of the Committee on Appropriations that the Bureau of the Budget has made any request of the Senate committee. I assure the Senator that the subcommittee and the full committee felt that this increase was altogether justified.

Mr. WHERRY. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. WHERRY. I deeply appreciate the observations made by the chairman of the subcommittee. I happen to be a member of the subcommittee, and certainly the distinguished chairman and the members were very conscientious and hard-working as they tackled the provisions of the pending bill. Because of the fact that I have to be on the floor, I did not attend all the sessions of the subcommittee, and for that reason I wish to make it perfectly clear that I associate myself with the observations made by the Senator from New Hampshire. I believe that if we are to call a halt in the costs of the Government the time to start is when we make the appropriations. I, for one, feel that the Government has enough personnel. It is always possible to justify appropriations by saying that an agency can be more efficient, that this or that could be performed more efficiently, that there are certain things to be done, and that because the Hoover Commission says this or that, personnel must be added. We can take any department of the Government, and, under such a justification, add personnel.

Mr. President, there is much in what the Senator from Wyoming says relative to the personnel, but the personnel of this Bureau, if we take the figures which have been furnished us, numbers over 500. It seems to me that with that personnel, if the Hoover Commission work is as important as they think it is, they had better use some of the personnel now doing something else in order to do the work of the Hoover Commission, and keep the personnel lower, instead of increasing it.

Mr. President, I am ready not only to associate myself with the distinguished Senator from New Hampshire in his observations, but I am ready to vote to sustain the House amount, if an amendment is offered. I am not going to ask for it, because apparently the Senate is determined, as to many of these matters, to go along and do as the Senate always has done, raise every appropriation. We are asked to raise this appropriation nearly half a billion dollars over the House amount. True, some of it had to be done because of authorizations—and I say that with all respect to the chairman—which call for appropriations. But it is the old story, that after a bill comes

here, the Senate raises the appropriation of the other House. I wish to associate myself with the distinguished Senator from New Hampshire. I for one would not want to see the personnel increased, but kept at least where it is, or, if any change is made, decreased.

Mr. O'MAHONEY. Mr. President, I wish to say that the basis upon which my good friends make their argument does not exist. There is no increase of personnel, but there is increase of salaries, and I respectfully suggest that it was the Congress itself which ordained the raises in salary.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Just a moment. I wish to read from the justification which was presented to the committee. Among the reasons advanced were:

1. The Bureau of the Budget is responsible for achieving economy and efficiency throughout the Government; while the House reduction would save some funds in the Bureau's own expenditures, it would result in a much larger cost to the Government as a whole.

2. The House action ignores the recommendations of the Commission on Organization of the Executive Branch of the Government, which urged expansion, not contraction, of the work of the Bureau of the Budget.

I call to the attention of the Senator from New Hampshire and the Senator from Nebraska the fact that the Hoover Commission itself recommended the expansion of this Bureau.

Mr. President, I hope the Senate will grant the increase.

Mr. BRIDGES. Mr. President, so that there may be no misunderstanding, my personal check on this matter shows that there would be an increase of personnel by 53, from 481 to 534. That is a definite increase in personnel.

I am ready for a vote, and on this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. O'MAHONEY. Mr. President, I wish to call attention to the fact that while it is true that this amendment would account for more personnel than the House provision, still the recommendation of the committee is for a lower personnel than was available under the appropriation bill passed by the last Congress.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Fulbright	Kerr
Anderson	George	Kilgore
Baldwin	Gillette	Knowland
Brewster	Graham	Langer
Bricker	Green	Lodge
Bridges	Gurney	Long
Butler	Hayden	Lucas
Byrd	Hendrickson	McCarran
Cain	Hickenlooper	McCarthy
Capehart	Hill	McClellan
Chapman	Hoey	McGrath
Connally	Holland	McKellar
Cordon	Hunt	McMahon
Donnell	Ives	Magnuson
Douglas	Jenner	Malone
Downey	Johnson, Colo.	Martin
Ecton	Johnson, Tex.	Maybank
Ellender	Johnston, S. C.	Miller
Ferguson	Kefauver	Millikin
Flanders	Kem	Morse
Mundt	Schoeppel	Thye
Murray	Smith, Maine	Tobey
Myers	Sparkman	Vandenberg
Neely	Stennis	Wherry
O'Conor	Taft	Wiley
O'Mahoney	Taylor	Williams
Russell	Thomas, Okla.	Withers
Saltonstall	Thomas, Utah	Young

The PRESIDING OFFICER (Mr. HOEY in the chair). A quorum is present.

The question is on the committee amendment on page 5, line 8, to strike out $2,983,050 and insert $3,314,500.

Mr. O'MAHONEY. Mr. President, I have been asked by Senators who have come to the floor in response to the quorum call to explain the amendment. It is a recommendation of the Appropriations Committee that the budget estimate for the Bureau of the Budget be allowed. That is an increase of $331,450. The increase has been criticized on the ground that it would increase the personnel. The fact is that it would leave the personnel of the Bureau of the Budget for the fiscal year 1950 exactly where it was placed for the fiscal year 1949. It does not increase the personnel over the number now employed by the Bureau. Of course, it does increase the personnel above that which was provided by the House figure.

The reason why the committee urges this increase is twofold. First, the Bureau of the Budget is clothed with the responsibility of checking upon the expenditures for all the Government agencies and bureaus. It has a tremendous job to do. If we are for economy this is the place where economy may be effectively administered.

In the second place we urge it because it harmonizes with the recommendation of the Hoover Commission. One of the recommendations of that Commission upon the reorganization of the executive branch of the Government was that the Bureau of the Budget should be expanded in order precisely to enable it to function more effectively in supervising the expenditures of all the Government bureaus and agencies. The committee has recommended the figure in the firm belief that it will permit economy, in the firm belief that failure to grant the increase will only have the effect of crippling the agency where efficient and effective administration of the expenditures of Government may be carried on. On behalf of the committee I wish to say that I hope the Senate may approve the committee amendment.

Mr. BRIDGES. Mr. President, in order that everyone may know it, I wish to say that in connection with this bill the question of additional personnel must be considered. I believe the average department or agency or bureau of Government has sufficient personnel today. The bill before us provides in all for a net increase of 14,740 employees over the House figure. I do not believe such an increase is necessary. In this amendment we are starting in on the Bureau of the Budget, for the increased amount would provide an increase of 53 employees over the House figure. I propose that the Senate reject the committee amendment and stand on the House figure, which will maintain the personnel in this bureau at 481, a sufficient number to do the job.

Mr. O'MAHONEY. Mr. President, I must respond to the comment of the Senator by pointing out that the bill as reported by the Senate committee overall does not provide for personnel for the year 1950 as many as the same bureaus had for 1949. The fact of the matter is that this provision decreases the personnel below the figures allowed in the last appropriation bill for these offices.

Mr. MAYBANK. Mr. President, is the increase caused by Public Law 900?

Mr. O'MAHONEY. No. That has to do with salary increases.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 5, line 8.

Mr. DONNELL. Mr. President, may I inquire whether my ears fail me? As I understand, there is a direct contradiction in statements of fact. Am I mistaken?

Mr. O'MAHONEY. There is no contradiction in statements of fact. What the Senator from New Hampshire [Mr. BRIDGES] means, I am sure—and it is true—is that in the case of the Bureau of the Budget we are providing more personnel than was provided in the House bill. The House cut the budget estimate. We are restoring the cut made by the House, but in so doing we are not increasing the personnel above that for 1949. We are providing exactly the same number of employees for the fiscal year 1950 as the Bureau of the Budget now has.

Mr. DONNELL. I thank the Senator. I could not understand how there could be any conflict on the question of fact between the two Senators.

Mr. WHERRY. Mr. President, will the Chair state what the issue is, and what a "yea" or "nay" vote means on this amendment?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 5, line 8. The amendment represents an increase, as provided by the Senate committee. A vote of "yea" would be a vote in favor of the increase, and a vote "nay" would be a vote against the increase.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. MCFARLAND] are absent on public business.

The Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. PEPPER], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Maryland [Mr. TYDINGS] are detained on official business.

On this vote the Senator from Minnesota [Mr. HUMPHREY], who would vote "yea," if present, is paired with the Senator from New Jersey [Mr. SMITH], who would vote "nay," if present.

I announce further that on this vote the Senator from Maryland [Mr. TYDINGS] is paired with the Senator from

Utah [Mr. WATKINS]. If present and voting, the Senator from Maryland would vote "yea" and the Senator from Utah would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] is absent because of illness, and is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Minnesota "yea."

The Senator from New York [Mr. DULLES] is detained on official business.

The Senator from Utah [Mr. WATKINS] is detained on official business, and is paired with the Senator from Maryland [Mr. TYDINGS]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Maryland "yea."

The result was announced—yeas 51, nays 33, as follows:

YEAS—51

Anderson	Hunt	Miller
Chapman	Ives	Morse
Connally	Johnson, Colo.	Murray
Cordon	Johnson, Tex.	Myers
Douglas	Johnston, S. C.	Neely
Downey	Kefauver	O'Conor
Ellender	Kerr	O'Mahoney
Fulbright	Kilgore	Russell
George	Long	Saltonstall
Gillette	Lucas	Smith, Maine
Graham	McCarran	Sparkman
Green	McClellan	Stennis
Gurney	McGrath	Taylor
Hayden	McKellar	Thomas, Okla.
Hill	McMahon	Thomas, Utah
Hoey	Magnuson	Thye
Holland	Maybank	Withers

NAYS—33

Aiken	Ferguson	Martin
Baldwin	Flanders	Millikin
Brewster	Hendrickson	Mundt
Bricker	Hickenlooper	Schoeppel
Bridges	Jenner	Taft
Butler	Kem	Tobey
Byrd	Knowland	Vandenberg
Cain	Langer	Wherry
Capehart	Lodge	Wiley
Donnell	McCarthy	Williams
Ecton	Malone	Young

NOT VOTING—12

Chavez	Humphrey	Robertson
Dulles	McFarland	Smith, N. J.
Eastland	Pepper	Tydings
Frear	Reed	Watkins

So the amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, under the subhead "Council of Economic Advisers," on page 5, line 24, after "(28 U. S. C. 2672)", to strike out "$300,000" and insert "$340,000."

ADDITIONAL CIRCUIT AND DISTRICT JUDGES—CONFERENCE REPORT

Mr. McCARRAN. Mr. President, inasmuch as the Senator from Michigan [Mr. FERGUSON] is now on the floor, I wish to state that there is at the desk a conference report on the bill known as the judges' bill. I ask unanimous consent that the report may be taken up at this time.

The PRESIDING OFFICER. The report will be read.

The report was read.

(For conference report, see House proceedings of July 26, 1949, pp. 10217–10219.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McCARRAN. Mr. President, I understand that the Senator from Michigan wishes to be heard on this matter.

Meantime, I move that the report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

Mr. FERGUSON. I did not sign the conference report, and I think an explanation of my position is due. The reason why I did not sign the report is that in recent years there has been a development which gives great concern to all who cherish the ideals and traditions of justice. It is a debasement of the courts in the mind of the public.

Fundamentally there appears to be involved the fact that in the administration of justice we are having appointed to the bench, men who lack the broad vision which we have traditionally associated with the courts, or men whose vision is restricted by the nature of their experience before ascending the bench.

Senate bill 1871, which was passed by the Senate last night, indicates how the Senate feels about Government employees who leave the Government service to go into private business. I call attention to that measure because it is along the same line that I wish to speak today. Last night we said, in effect, that an employee of the Reconstruction Finance Corporation cannot be employed, until a period of 2 years had passed, by anyone who borrowed money from the Reconstruction Finance Corporation while that person was serving in that agency of the Government.

In the report we are now considering there was inserted—and it was the desire of the Senate at one time that such a provision be placed in this bill relating to the appointment of judges—a provision that anyone who feels that the judge is not qualified to serve in a certain case because he had formerly worked for a certain Government department, may file an affidavit to that effect, and then a new judge or a new trial before another court can be had.

Here is what I think has developed in the administration of justice: We are discovering that the Government departments have literally thousands of lawyers. When the President appoints Federal judges, through the Office of the Attorney General, we find that the Department of Justice, the FBI, and various other Government agencies are supplying the judges for the United States. In other words, the matter is becoming a political one, rather than of trying to get men of judicial caliber.

The able chairman of the Judiciary Committee, the Senator from Nevada [Mr. McCARRAN] realized this situation, and he suggested a provision that those who are to be qualified to accept these appointments should actually be practicing law, and should have done so for a number of years in the courts, rather than in the Government departments.

Mr. President, that bill was passed by the Senate. However, the House Committee would not agree to it. I thought the Senator in charge of the bill, the able chairman of the Judiciary Committee [Mr. McCARRAN] hit upon a proper solution of the problem. Here is what he tried to do:

Section 144 was amended by Public Law 72 of the Eighty-first Congress by substituting the words "in any case" for "as to any judge" at the end of the next to last sentence.

The present section 144 reads as follows:

> Whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.
>
> The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than 10 days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith.

What the able Senator from Nevada, the chairman of the Judiciary Committee, had in mind was to include a provision that in case for 10 years prior to the commencement of such proceedings a judge had been employed in an agency of the executive branch of the Government of the United States which is a party to such proceedings, an affidavit could be filed setting forth those facts, and then the judge would not be permitted to proceed further therein, but another judge would be assigned to hear the proceeding. In other words, it would give an opportunity to the lawyer, and, I may say, to the litigant, to have his case tried by a judge who had not served in the Government department. We find literally hundreds of instances, more so in Washington than elsewhere, of cases being tried by a judge who had no experience in the practice of law, or as a judge, but who had merely worked in the legal department of a certain bureau. He was the judge that would be chosen to hear the proceeding with which the bureau itself was concerned. The able Senator from Nevada included a provision that, if a man had been employed in that department within 10 years, an affidavit could be filed, and a new judge obtained. Why not? If we are to have justice administered by those who are not prejudiced and who are not biased, we should be willing to put into the law a provision that a judge must not only be free of prejudice and bias, but, like Caesar's wife, he must be above suspicion. I think justice will then be more respected. We will have more concern over it. People will be better satisfied, if we place in the law a provision of that kind. My two colleagues on the conference committee were anxious to have the bill enacted, knowing judges are needed, but I say we must be careful what kind of judges

are appointed and that they are not selected alone from the various departments of the Government. We want men of experience in the broad field of law, men who understand the philosophy of the law and who understand the American people and American institutions.

Since that amendment was not retained in the conference report I felt in conscience that I could not sign the report, because I believed the able Senator from Nevada had hit upon something which would be beneficial to America in the administration of justice, and I felt that I should state to the Senate my reason for not signing the report.

Mr. McCARRAN. Mr. President, I shall not detain the Senate. I concur in the remarks of the able Senator from Michigan. I think something should be done, but, after giving the matter mature consideration, I saw that by my proposed amendment I was going to defeat the major objective of the bill, namely, the designation and appointment of some 27 additional circuit and district judges throughout the United States. I thought we could meet the provision I had in mind by general legislation rather than by an amendment to the bill.

The Senator is right when he says I was anxious. I was anxious and at the same time apprehensive. I am apprehensive of what is going on. I dislike the idea of appointing judges from departments of the Government to sit in the courts of the District of Columbia, where 9 out of 10 litigants must come if they have grievances to be aired as against the departments, and where they must come to secure their rights. In many cases they must appear before a judge who may have been appointed from the very department against which the suit is pending.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Michigan?

Mr. McCARRAN. I yield.

Mr. FERGUSON. I wonder whether the Senator would feel that he could join witn the Senator from Michigan, or, rather, that the Senator from Michigan could join with the Senator from Nevada, in general legislation somewhat to the same effect, and whether, if such legislation were enacted, he could see any reason why this bill should not go through in its present form?

Mr. McCARRAN. I may say to the Senator from Michigan, I will gladly join in general legislation to fix the qualifications of judges, or to fix the grounds upon which their disqualifications may be brought to the attention of the judge himself.

Mr. FERGUSON. I appreciate that. I am glad to have that assurance.

Mr. McCARRAN. I did not want to defeat the principal objective of the bill by adhering to my amendment. I did not lose interest in my amendment, and I do not give up the principle, in any sense of the word.

Mr. FERGUSON. I appreciate that word from the Senator.

The PRESIDING OFFICER. The question is upon agreeing to the motion of the Senator from Nevada [Mr. McCARRAN] to agree to the conference report.

The motion was agreed to.

APPROPRIATIONS FOR INDEPENDENT OFFICES, 1950

The Senate resumed the consideration of the bill (H. R. 4177) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1950, and for other purposes.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, under the subhead "Council of Economic Advisers," on page 5, line 24, after "(28 U. S. C. 2672)", to strike out "$300,000" and insert "$340,000."

Mr. BRIDGES. Mr. President, this amendment has to do with the Council of Economic Advisers. I think the item approved by the House was $300,000, which, as I recall, was the amount provided last year for this agency. The amendment adds $40,000 and increases the personnel by four. This I admit is a small amount, but, in view of certain decisions and recommendations the Council of Economic Advisers have made, I do not know that they need additional assistants. I think they are fully staffed and equipped at the present time. Therefore I favor the retention of the House figure.

Mr. O'MAHONEY. Mr. President, one of the reasons for this increase is that the last Congress, with the approval of my very able and amiable friend from New Hampshire, increased the salaries of all Government employees. The Pay Act of the Eightieth Congress added $550,000,000 to the expenditures of the Government for the fiscal year 1950. This is as good a place as any in which to call attention to that fact, and also to the fact that other bills which were enacted last year have added to the obligations of the Government more than $2,000,000,000. On this particular item, because of the pay increase and automatic increases and essential classifications, the Council of Economic Advisers had to seek a deficiency appropriation, which was granted. In other words, of the $40,000 which is now proposed, $13,400 is to fulfill the obligations of the Pay Increase Act and to provide for automatic increases in essential classifications; $26,600 is needed to add to the number of economists and secretaries. The increased recommendations were made to the committee by Dr. Nourse, chairman of the council. I trust the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BRIDGES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand sufficiently seconded?

The yeas and nays were not ordered.

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Hayden	Millikin
Anderson	Hendrickson	Morse
Baldwin	Hickenlooper	Mundt
Brewster	Hill	Murray
Bricker	Hoey	Myers
Bridges	Holland	O'Conor
Butler	Hunt	O'Mahoney
Byrd	Ives	Robertson
Cain	Jenner	Russell
Capehart	Johnson, Colo.	Saltonstall
Chapman	Johnson, Tex.	Schoeppel
Connally	Johnston, S. C.	Smith, Maine
Cordon	Kefauver	Sparkman
Donnell	Kerr	Stennis
Douglas	Knowland	Taft
Downey	Langer	Taylor
Dulles	Lodge	Thomas, Okla.
Ecton	Long	Thye
Ellender	Lucas	Tobey
Ferguson	McCarthy	Vandenberg
Flanders	McClellan	Watkins
Frear	McKellar	Wherry
George	McMahon	Wiley
Gillette	Magnuson	Williams
Graham	Malone	Withers
Green	Martin	Young
Gurney	Maybank	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment appearing at the bottom of page 5, which increases the appropriation for the Council of Economic Advisers from $300,000 to $340,000.

Mr. BRIDGES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The request is obviously sufficiently seconded. The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. McFARLAND] are absent on public business.

The Senator from Arkansas [Mr. FULBRIGHT], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from Nevada [Mr. McCARRAN], the Senator from Rhode Island [Mr. McGRATH], the Senator from Virginia [Mr. ROBERTSON], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are detained on official business.

The Senator from Idaho [Mr. MILLER] is necessarily absent.

I announce that on this vote the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Minnesota would vote "yea" and the Senator from New Jersey would vote "nay."

I announced further that if present and voting, the Senator from Rhode Island [Mr. McGRATH] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] is absent because of illness and is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Minnesota "yea."

The Senator from Missouri [Mr. KEM] is detained on official business.

The result was announced—yeas 40, nays 39, as follows:

YEAS—40

Anderson	Holland	Morse
Chapman	Hunt	Murray
Connally	Johnson, Colo.	Myers
Cordon	Johnson, Tex.	O'Conor
Downey	Johnston, S. C.	O'Mahoney
Ellender	Kefauver	Robertson
Frear	Kerr	Russell
George	Long	Saltonstall
Gillette	Lucas	Sparkman
Graham	McClellan	Stennis
Green	McKellar	Taylor
Hayden	McMahon	Withers
Hill	Magnuson	
Hoey	Maybank	

NAYS—39

Aiken	Ferguson	Millikin
Baldwin	Flanders	Mundt
Brewster	Gurney	Schoeppel
Bricker	Hendrickson	Smith, Maine
Bridges	Hickenlooper	Taft
Butler	Ives	Thye
Byrd	Jenner	Tobey
Cain	Knowland	Vandenberg
Capehart	Langer	Watkins
Donnell	Lodge	Wherry
Douglas	McCarthy	Wiley
Dulles	Malone	Williams
Ecton	Martin	Young

NOT VOTING—17

Chavez	McCarran	Reed
Eastland	McFarland	Smith, N. J.
Fulbright	McGrath	Thomas, Okla.
Humphrey	Miller	Thomas, Utah
Kem	Neely	Tydings
Kilgore	Pepper	

So the amendment was agreed to.

Mr. ROBERTSON. Mr. President, the amendment on which the Senate just voted relates to a proposal to cut $40,000 from an appropriation bill which carries more than $7,000,000,000. I am not opposed to the saving of as little as $1, if it can properly be made. But the committee has, after mature consideration of the subject, decided that the additional $40,000 over the House figure was proper.

Mr. President, it requires about 20 minutes for a quorum call and about 20 minutes for a roll call. There are 70 or perhaps more than 70 amendments in the bill. If, on relatively minor issues of this kind, we are to have a yea and nay vote, and devote 40 minutes to each item, it will require 60 hours to complete action on the amendments to the bill. On the basis of a 5-hour day and a 5-day week that will mean a little more than 2 weeks; while the authority of these agencies to function under the temporary joint resolution passed by Congress in June expires next Sunday night.

Now we have messed up the detail, if Senators will excuse the expression, respecting ECA. I hope very much that Senators who wish to make a personal record for economy will make that record without forcing a yea-and-nay vote, requiring in all about 40 minutes on every minor amendment to the bill to which they object.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the title "Independent Offices—American Battle Monuments Commission," on page 7, line 15, atfer the word "of", to strike out "one" and insert "three", and at the beginning of line 16, to strike out "vehicle" and insert "vehicles, including one at not to exceed $2,500".

The amendment was agreed to.

The next amendment was, under the heading "Atomic Energy Commission", on page 9, line 6, after the word "the", to strike out "unobligated balances" and insert "unexpended balances, as of June 30, 1949."

The amendment was agreed to.

The next amendment was, under the heading "Civil Service Commission," on page 10, line 8, after the word "Columbia", to strike out the comma and "including salaries of the Commissioners at $12,000 each per annum so long as the positions are held by the present incumbents"; in line 22, after the word "exceed", to strike out "$40,000" and insert "$60,000"; in line 24, after "(54 Stat. 767)", to insert "not to exceed $500,000 for allocation to the Federal Bureau of Investigation as required for investigation of applicants for certain positions when requested by the head of the department or agency concerned in cases where the department or agency concerned does not maintain its own investigative staff."

The amendment was agreed to.

The next amendment was on page 11, line 9, after the word "amended", to strike out "$14,000,000" and insert "$16,250,000."

Mr. BRIDGES. Mr. President, the amendment relative to the Civil Service Commission increases the personnel over the House figure by 485 individuals. I think Senators will all agree that the Civil Service Commission has a responsible job. Nevertheless after the House committee held hearings on the subject it arrived at a figure of 3,414 employees. The House committee decided that was a sufficient number of employees to do the job adequately and well. I believe the Senate would be justified in retaining the House figure.

I wish to speak for a moment about what the distinguished Senator from Virginia [Mr. ROBERTSON] said, because I know he wants the full story told. There is no intention, so far as I am concerned, to try to force the Senate into 60 hours of consideration of the various items contained in the bill. In this bill, however, the Senate committee has increased the House figure by more than $500,000,000, and added some 15,000 personnel over the House figure. If we believe at all in economy, and if we believe the departments have sufficient personnel to carry on their work properly, it is well to have discussed the issues involved in some of the items of the bill. I believe the particular amendment now pending which would increase by 485 the number of employees provided by the House figure for the Civil Service Commission, is not justified. Therefore I hope the Senate amendment on page 11, line 9, will not be agreed to.

Mr. O'MAHONEY. Mr. President, I beg to advise the Senator from New Hampshire that again there is a slight mistake in the interpretation which he has placed upon the action of the committee. It is true again that the appropriation recommended by the committee increases the personnel beyond that which would be available under the bill as it passed the House. But the bill recommended by the Senate committee provides for personnel 278 less in number than the Civil Service Commission has this year. So, far from increasing the personnel, the committee has decreased the personnel of the Civil Service Commission below that which it has already under the appropriation bill which was passed last year.

The reason why the committee recommended the increase on which the Senate is requested to vote, as found in the committee amendment on page 11, line 9, is that the House committee report made it clear that in connection with the reduction it made, it was expecting the Civil Service Commission to save money by absorbing this personnel, by permitting the various executive agencies and departments of government to conduct their own decentralized examinations. If that were not done the cost would be much greater than the increase which is allowed in the Senate committee bill.

The committee held hearings upon this matter. It was clearly demonstrated that to cut this appropriation to the amount provided by the House bill—and the Senate committee has not restored the entire amount—would only mean to transfer the holding of certain examinations to certain supposed expert boards in executive departments and agencies, and such boards would have to do the work which the Senate committee felt could be more efficiently and properly done by the Civil Service Commission.

Mr. President, in the light of the clear fact that the personnel is not so large as it was last year, I hope that the increase recommended by the committee may be approved.

Mr. FERGUSON. Mr. President, I think the amendment now under consideration presents a clear example of whether the Federal Government desires actually to cut expenditures. We come now to the question of the number of employees. The able Senator from Virginia [Mr. BYRD] has from time to time pointed out that every day there are added to the public pay roll, in Washington and in other parts of the country, 315 Government employees.

The minute Congress says, "We want to take away from you a certain amount of cash," we find the Civil Service Commission saying that all it would mean would be that an equal number or greater number would have to be hired in some other department. No one has ever though about the possibility of cutting down the amount of work which is being done in the various departments, which represents waste and extravagance. No one has ever thought that an employee might even do more work, resulting in a need for fewer employees. That is never thought of. It is always said, "The work will go into another department, and more men will have to be employed there.

This amendment represents an increase of $2,250,000. To some that is peanuts. Some Senators feel that we should not even discuss an increase of $2,250,000 on the floor of the Senate.

Mr. President, the other day we discussed an increase of $140,000. We discussed it on the floor of the Senate for a long time when the proposal was made to place on the pay roll of the watchdog committee about ten more employees. It was perfectly all right to discuss that question for hours. But when it comes to taking an employee off the national pay roll, where patronage in the executive branch of the Government is involved, it is said, "You are taking too much time on the floor of the Senate."

What would happen if we were to increase this appropriation by $2,250,000? We would increase the number of personnel over the House figures by 485.

Is this a small department? Consider how it has grown, from 3,414 employees to 3,899. Certainly it has an estimate from the budget for 4,069 employees. In 1949 it had 4,178. So if we make this cut we shall need 485 fewer employees on the pay roll of the Civil Service Commission.

Mr. President, I hope that Congress will become economy-minded, even if it is only to the extent of $2,250,000, because we must attempt to balance the budget, and this is one place where we can start.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 11, line 9.

Mr. BRIDGES. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. O'MAHONEY. Mr. President, I desire again to emphasize what I said a moment ago, that there is no economy in the proposed reduction. That was clear from the presentation which was made to the committee. It would result in duplicating a great deal of the work. Let me read this statement, which was submitted to the committee:

> Generally speaking, boards of civil service examiners in Federal field establishments recruit applicants and conduct examinations for positions which exist primarily in their respective establishments. Conversely, the Commission recruitment and examining resources are expended on examinations for filling positions which are common to many agencies, and servicing agencies too small to support a board of examiners. If examinations were completely decentralized, numerous identical examinations would be announced by hundreds of boards of examiners, with resulting waste of time, effort, and money in holding such examinations, and confusion to the public.

Mr. President, I could spend an hour going into detail. The figures were before us. Not to allow this money would only create confusion and waste. Decentralization would cause duplication. The committee amendment is an amendment in the interest of economy, and it should be adopted.

Mr. FERGUSON. Mr. President, I wish to say in reply to the able Senator from Wyoming, in charge of the bill, that this is a typical example of a department which says, if we take any money from it, or adhere to the House figure, "It will cut out one of the most vital and important functions we have."

They never think of trying to get more work out of their employees, or cutting out extravagance. They tell us that a reduction in the appropriation would cut out certain very vital and important work and put it into another department, where it would cost more money. I should like to know how the other department is going to get the money if we do not appropriate it. Let the departments absorb reductions by eliminating extravagance and inefficiency instead of interfering with the most vital parts of their programs, as they say in their testimony.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 11, line 9. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MYERS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. GILLETTE], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are detained on official business.

The Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. MCFARLAND] are absent on public business.

The Senator from Idaho [Mr. MILLER] is necessarily absent.

The Senator from Minnesota [Mr. HUMPHREY] is paired on this vote with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from New Jersey would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH], who is absent because of illness, is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Minnesota would vote "yea."

The Senator from Missouri [Mr. KEM], the Senator from Washington [Mr. CAIN], the Senator from Indiana [Mr. CAPEHART], and the Senator from Pennsylvania [Mr. MARTIN] are detained on official business.

The result was announced—yeas 38, nays 41, as follows:

YEAS—38

Anderson	Hunt	Murray
Chapman	Johnson, Tex.	Myers
Connally	Johnston, S. C.	O'Conor
Cordon	Kefauver	O'Mahoney
Downey	Kerr	Pepper
Ellender	Lucas	Robertson
Fulbright	McCarran	Saltonstall
George	McClellan	Smith, Maine
Graham	McGrath	Sparkman
Green	McKellar	Taylor
Gurney	McMahon	Thomas, Utah
Hayden	Magnuson	Withers
Hill	Maybank	

NAYS—41

Aiken	Dulles	Holland
Baldwin	Ecton	Ives
Brewster	Ferguson	Jenner
Bricker	Flanders	Johnson, Colo.
Bridges	Frear	Knowland
Butler	Hendrickson	Langer
Donnell	Hickenlooper	Lodge
Douglas	Hoey	Long
McCarthy	Schoeppel	Watkins
Malone	Stennis	Wherry
Millikin	Taft	Wiley
Morse	Thye	Williams
Mundt	Tobey	Young
Russell	Vandenberg	

NOT VOTING—17

Byrd	Humphrey	Neely
Cain	Kem	Reed
Capehart	Kilgore	Smith, N. J.
Chavez	McFarland	Thomas, Okla.
Eastland	Martin	Tydings
Gillette	Miller	

So the amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, under the subhead "Panama Canal Construction Annuity Fund," on page 13, line 8, after "(48 U. S. C. 1373a)", to strike out "$5,304,870" and insert "$5,894,300."

The amendment was agreed to.

The next amendment was, under the subhead "Civil-Service Retirement and Disability Fund," on page 13, line 13, after "(5 U. S. C. ch. 14)", to strike out "$295,533,700" and insert "$328,393,000."

The amendment was agreed to.

The next amendment was, under the subhead "Canal Zone Retirement and Disability Fund," on page 13, line 19, after "(48 U. S. C. 1371n)", to strike out "$899,100" and insert "$999,000."

The amendment was agreed to.

The next amendment was, under the subhead "Alaska Railroad Retirement and Disability Fund," on page 13, at line 25, before the word "which", to strike out "$193,500" and insert "$215,000."

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, on what page is the clerk now reading the committee amendments?

The PRESIDING OFFICER. The clerk is about to read the first committee amendment on page 14. The last amendment read was on page 13.

Mr. DOUGLAS. I should like to ask for an explanation of the increase provided in line 13, on page 13.

Mr. O'MAHONEY. Mr. President, this increase is required in order to carry out the statutory requirement of having the Civil Service Commission maintain the retirement fund out of which the retirements of civil servants are paid. As everyone knows, under the retirement law, deductions are made from the salaries of employees, and the deductions are matched by the Government.

This appropriation is a matching appropriation, to balance the retirement fund in compliance with that law. It is an obligation of the Government which we felt could not be avoided.

Mr. DOUGLAS. I should like to inquire of the distinguished Senator from Wyoming why it was that the House committee did not catch this item.

Mr. O'MAHONEY. The House committee simply made a straight slice.

The PRESIDING OFFICER. The amendment to which the Senator has referred has already been adopted and stands adopted unless the Senate wishes to return to its consideration.

Otherwise, the clerk will state the next amendment of the committee.

The next amendment was, under the heading "Displaced Persons Commission," on page 14, line 11, after the word "amended," to insert "purchase (not to exceed 30), and."

The amendment was agreed to.

The next amendment was, under the heading "Federal Communications Commission," on page 15, line 23, after the word "Columbia", to strike out "including salaries of the Commissioners at $12,000 each per annum so long as the positions are held by the present incumbents."

The amendment was agreed to.

The next amendment was, on page 16, line 8, after the word "binding", to strike out "$6,525,000" and insert "$6,633,000."

Mr. BRIDGES. Mr. President, this amendment has to do with the Federal Communications Commission which, of course, performs an important function.

The House provided for personnel of 1,332 for the Commission. This amendment would increase the number of personnel to 1,349.

I do not believe any Member of the Senate wishes to handicap the Federal Communications Commission in any way or prevent it from doing a good job. I think the personnel of 1,332 allowed by the House of Representatives is adequate for that Commission, and it seems to me that the increase provided by the Senate committee is unwarranted.

Therefore, I hope the Senate committee amendment will be rejected.

Mr. O'MAHONEY. Mr. President, again it is true that the Senate committee allowed an increase in the personnel—in this case, an increase of 17 above the number allowed by the House of Representatives. But even with that increase, this measure allows for the Federal Communications Commission a personnel of 49 less than the Commission has at this moment. So again we are presenting a provision for a decrease in personnel, not an increase.

As the Senator from New Hampshire has stated, the Communications Commission performs a very important service. Every day requests are made to the Communications Commission for additional services. By the use of the radio in Red Cross work, in police work, in maritime work, in every avenue of radio communication and the transmission of information, the work of the Communications Commission is increasing. The committee, Mr. President, felt that to deny the increase which we recommended would seriously impede the work of the Commission. I trust that the increase may be allowed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BRIDGES. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from Iowa [Mr. GILLETTE], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from Oklahoma [Mr. THOMAS], the Senators from Maryland [Mr. O'CONOR and Mr. TYDINGS], the Senator from Mississippi [Mr. STENNIS], and the Senator from Kentucky [Mr. WITHERS] are detained on official business.

The Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Arizona [Mr. MCFARLAND] are absent on public business.

The Senator from Idaho [Mr. MILLER] is necessarily absent.

The Senator from Minnesota [Mr. HUMPHREY] is paired on this vote with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from New Jersey would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. REED] is absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] who is absent because of illness is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Minnesota would vote "yea."

The Senator from Washington [Mr. CAIN] and the Senator from Missouri [Mr. KEM] are detained on official business.

The result was announced—yeas 40, nays 39, as follows:

YEAS—40

Anderson	Holland	Morse
Chapman	Hunt	Murray
Connally	Johnson, Tex.	Myers
Cordon	Johnston, S. C.	O'Mahoney
Downey	Kefauver	Pepper
Ellender	Kerr	Robertson
Frear	Long	Russell
Fulbright	Lucas	Saltonstall
George	McCarran	Sparkman
Graham	McGrath	Taylor
Green	McKellar	Thomas, Utah
Gurney	McMahon	Young
Hayden	Magnuson	
Hill	Maybank	

NAYS—39

Aiken	Flanders	Martin
Baldwin	Hendrickson	Millikin
Brewster	Hickenlooper	Mundt
Bricker	Hoey	Schoeppel
Bridges	Ives	Smith, Maine
Butler	Jenner	Taft
Byrd	Johnson, Colo.	Thye
Capehart	Knowland	Tobey
Donnell	Langer	Vandenberg
Douglas	Lodge	Watkins
Dulles	McCarthy	Wherry
Ecton	McClellan	Wiley
Ferguson	Malone	Williams

NOT VOTING—17

Cain	Kilgore	Smith, N. J.
Chavez	McFarland	Stennis
Eastland	Miller	Thomas, Okla.
Gillette	Neely	Tydings
Humphrey	O'Conor	Withers
Kem	Reed	

So the amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, under the heading "Federal Power Commission", on page 16, line 19, after the word "Columbia", to strike out the comma and "including salaries of the Commissioners at $12,000 each per annum so long as the positions are held by the present incumbents"; in line 21, after the word "exceed", to strike out "$220,000" and insert "$230,000"; on page 17, line 2, after the word "newspapers", to strike out "$3,650,000" and insert "$3,763,000"; in line 3, after the word "amount", to strike out "not to exceed $2,122,000 shall be available for personal services in the District of Columbia exclusive of", and in line 5, after the figures "$10,000", to insert "shall be available."

The amendment was agreed to.

The next amendment was, on page 17, line 14, after the word "binding", to strike out "$325,000" and insert "$337,000", and in the same line, after the amendment just above stated, to strike out the comma and "of which amount not to exceed $130,000 shall be available for personal services in the District of Columbia."

The amendment was agreed to.

The next amendment was, under the heading "Federal Trade Commission", on page 17, line 19, after the word "Columbia", to strike out the comma and "including salaries of the Commissioners at $12,000 each per annum so long as the positions are held by the present incumbents."

The amendment was agreed to.

The next amendment was, on page 18, line 2, after the figures "$700", to strike out "$3,450,000" and insert "$3,639,000."

Mr. BRIDGES. Mr. President——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. LUCAS. Will there be some debate on this amendment?

Mr. BRIDGES. Yes, there will be.

RECESS

Mr. LUCAS. Mr. President, it is now 10 minutes to 6, and in view of the fact that there will be some debate on this amendment, and probably another roll call, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 53 minutes p. m.) the Senate took a recess until tomorrow, Thursday, July 28, 1949, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 27, 1949

The House met at 12 o'clock noon.

The Acting Chaplain, James P. Wesberry, LL. D., offered the following prayer:

Almighty and everlasting God, supreme lover of the universe and mighty ruler of the destiny of nations, Thou hast most graciously preserved and prospered us. Thou hast raised up these the leaders of our Nation's safety. We humbly beseech Thee to hear us as we express our gratitude for them and for Thy never-failing goodness and abundant blessings upon our Nation.

Make us, we pray Thee, Heavenly Father, in each passing moment of this congressional day, deeply conscious of the guidance of Thy holy hand. Give us an abiding cognizance of our accountability to Thee that Thy will may be done through us. And this we humbly ask in the name of Him who is the desire of all nations. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 142. An act excepting certain persons from the requirement of paying fees for certain census data;

H. R. 459. An act to authorize the payment of employees of the Bureau of Animal Industry for overtime duty performed at establishments which prepare virus, serum, toxin, or analogous products for use in the treatment of domestic animals;

H. R. 585. An act for the relief of Jacob A. Johnson;

H. R. 1127. An act for the relief of Sirkka Siiri Saarelainen;

H. R. 1303. An act for the relief of Dr. Elias Stavropoulos, his wife, and daughter;

H. R. 1360. An act to extend the times for commencing and completing the construction of a free bridge across the Rio Grande at or near Del Rio, Tex.;

H. R. 2417. An act to authorize the Secretary of the Air Force to operate and maintain a certain tract of land at Valparaiso, Fla., near Eglin Air Force Base, as a recreational facility;

H. R. 2474. An act for the relief of Frank E. Blanchard;

H. R. 2799. An act to amend the act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906;

H. R. 2853. An act to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees;

H. R. 3467. An act for the relief of Franz Eugene Laub;

H. R. 3512. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to authorize the exemption of certain employees of the Library of Congress and of the judicial branch of the Government whose employment is temporary or of uncertain duration;

H. R. 4022. An act to extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Tex., to July 31, 1950;

H. R. 4261. An act authorizing the Secretory of the Interior to issue to L. J. Hand a patent in fee to certain lands in the State of Mississippi;

H. R. 4646. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to lend certain property to national veterans' organizations, and for other purposes;

H. R. 4705. An act to transfer the office of the probation officer of the United States District Court for the District of Columbia, the office of the Register of Wills for the District of Columbia, and the Commission on Mental Health, from the government of the District of Columbia to the Administrative Office of the United States Courts, for budgetary and administrative purposes;

H. R. 4804. An act to record the lawful admission to the United States for permanent residence of Karl Frederick Kucker;

H. R. 5508. An act to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948; and

H. J. Res. 170. Joint resolution designating June 14 of each year as Flag Day.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1288. An act for the relief of certain officers and members of the crew of the steamship *Taiyuan*;

H. R. 1466. An act for the relief of Daniel Kim;

H. R. 1472. An act for the relief of the Olympic Hotel;

H. R. 1625. An act for the relief of Christine Kono;

H. R. 2084. An act for the relief of Teiko Horikawa and Yoshiko Horikawa;

H. R. 2290. An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing paleontological investigations in areas which will be flooded by the construction of Government dams;

H. R. 2850. An act for the relief of Denise Simeon Boutant; and

H. R. 4566. An act to revise, codify, and enact into law title 14 of the United States Code, entitled "Coast Guard."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 88. An act to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended;

S. 204. An act for the relief of Eugenio Maisterrena Barreneche;

S. 555. An act for the relief of Eiko Nakamura;

S. 586. An act for the relief of certain civilian personnel employed by the Navy Department, for expenses incurred incident to temporary duty performed at the Navy Yard, Philadelphia, Pa., in 1942;

S. 787. An act for the relief of William (Vasilios) Kotsakis;

S. 939. An act to remove certain lands from the operation of Public Law 545, Seventy-seventh Congress;

S. 1026. An act for the relief of Roman Szymanski and Anastosia Szymanski;

S. 1128. An act to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia";

S. 1166. An act for the relief of Toriko Tateuchi;

S. 1350. An act to provide for two judges of the Juvenile Court of the District of Columbia, and for other purposes;

S. 1525. An act to provide for the appointment of a deputy disbursing officer and assistant disbursing officers for the District of Columbia, and for other purposes;

S. 1834. An act for the relief of the widow of Robert V. Holland;

S. 1870. An act prohibiting the sale in the District of Columbia of rockfish weighing more than 15 pounds;

S. 1871. An act to amend the Reconstruction Finance Corporation Act to prohibit the employment of certain personnel of the corporation by organizations receiving loans or other financial assistance therefrom;

S. 1949. An act to authorize the lease of the Federal correctional institution at Sandstone, Minn., to the State of Minnesota;

S. 2030. An act to clarify the laws relating to the compensation of postmasters at fourth-class post offices which have been advanced because of unusual conditions; and

S. Con. Res. 51. Concurrent Resolution favoring the suspension of deportation of certain aliens.

EXTENSION OF REMARKS

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include a speech. It is possible that this speech may exceed the limit, but I do not think it does. Notwithstanding that it may exceed the limit I ask consent that the extension may be made.

The SPEAKER. Notwithstanding the excess, without objection, the extension may be made.

There was no objection.

MINIMUM-WAGE LEGISLATION

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUCAS. Mr. Speaker, the chairman of the Committee on Education and Labor, the gentleman from Michigan [Mr. LESINSKI] has made the statement that his minimum-wage bill, H. R. 3190, will be called up under his resolution, introduced for the purpose of going around the Rules Committee, on August 8. I understand there is some question as to what will be called up, because the postal pay-raise bill is due to be considered at the same time.

If on August 8 the House bill covering minimum wages is called up, I intend to offer a substitute bill, H. R. 4272, that has been prepared by a number of Members and which contains some very important provisions, one of which is the flexible minimum-wage provision. This section in the bill was prepared in the main by the gentleman from Arkansas [Mr. HAYS] and the gentleman from Pennsylvania [Mr. MCCONNELL]. It ties minimum wages in our law to the cost of living index so that wages will go up in time of inflation and go down in time of deflation. There will be stabilized employment. It is the best answer I have ever heard for a legal, equitable, and fair minimum wage.

Mr. Speaker, may I call the attention of the Members of the House to a booklet entitled "The Question of a Flexible Statutory Minimum Wage" which has been prepared by Dr. Gustav Peck of the Library of Congress, and I would request every Member to get a copy and read it. Here you will see that flexibility is an attribute much to be desired in minimum-wage legislation.

EXTENSION OF REMARKS

Mr. MULTER asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. GORSKI of New York asked and was given permission to extend his remarks in the RECORD and include an editorial entitled "Labor."

Mr. BARTLETT asked and was given permission to extend his remarks in the RECORD and include an address delivered at the University of Alaska by Hon. HENRY M. JACKSON.

Mr. MANSFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include remarks made by United States Reclamation Commissioner Michael W. Straus on July 22, 1949, at the ground-breaking ceremonies for the Canyon Ferry Dam on the Missouri River near Helena, Mont., and in the other to include an article taken from the Government Standard of July 8,

1949, also a Marine poem, and also approval of the Marine Corps Reserve Officers Association of the bills S. 2177 and H. R. 5403.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a statement.

COMMITTEE ON THE JUDICIARY

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a report on the bill H. R. 3113.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the Subcommittee on Monopoly of the Committee on the Judiciary may be permitted to sit during the rest of today.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UNITED STATES SHOULD NOT WITHDRAW FROM BERLIN

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, the United States should go slow on moving the bulk of its military government officials out of Berlin, the reported plan of Mr. McCloy, the high commissioner, and reducing the military force for policing. The cold war may last as long as 20 years, and by being prepared for a cold war of that duration we are adopting the best way to avoid a hot war.

As Americans we like to button things up and get them finished, and this may be the reason for the projected Berlin-to-Frankfurt move, but the maintenance of our forward positions in Berlin, Vienna, Trieste, Japan, and Korea is one of the most significant guaranties to the democratic peoples of the world that we mean what we say in terms of the respect for international obligations and a determined opposition to conquest by permitting Communist infiltration. Let us not nullify the great victory for freedom of the Berlin air lift by a short-sighted move out of Berlin on grounds of administrative efficiency—valid as they may be.

EXTENSION OF REMARKS

Mr. BURDICK asked and was given permission to extend his remarks in the RECORD.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PHILLIPS of California asked and was given permission to extend his remarks in the RECORD and include a statistical table.

Mr. FULTON asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

RESTORATION OF THE HOME

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I rise to commend to your attention the address of His Holiness, Pope Pius XII, to an audience of women in Rome on July 24, in which he urged that they halt the spread of immorality among youth. His Holiness particularly stressed the need for the restoration of the home on a moral basis, and he decried influences in our public life which are contributing to what he termed the growing sensuality of youth. I think that every Catholic priest, Protestant minister, and Jewish rabbi could perform no greater service than to join the Pope in a movement to reestablish our moral structure.

The prime force in the destruction of morals today is political materialism. It travels under many names—communism, statism, socialism, and totalitarianism—but wherever it travels it spreads the same fundamentally false precept that man is secure if he has the physical necessities of life. Actually, materialism produces the most insecure people that the world has ever seen. We have only to look at Russia and the other Communist-dominated nations whose people have achieved not the security they sought but an existence ridden by fear and want. Until we again realize that a sound moral structure is the backbone of civilization, and our greatest security, the world is going to undergo unprecedented suffering.

I believe that every thinking American should rally to the Pope's call. The moral decay has infected our youth because it first infected the parents of those youths. Until a moral resurgence sweeps the face of the globe, the fate of our children and our children's children is going to be a bitter one.

PERMISSION TO ADDRESS THE HOUSE

Mr. HAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

[Mr. HAND addressed the House. His remarks appear in the Appendix.]

THE PENTAGON BUILDING

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, this morning I journeyed over to the Pentagon Building and received from the Army Department officials the usual cooperation and helpfulness. In one of yesterday's papers it was stated that the administration was about to divulge Russia's war aims against us. I could not help but feel while at the Pentagon Building that with practically all our armed forces' records and personnel there if Russia planned to drop an atomic bomb on the building it would wipe out most of the finest and highest trained officers of our armed forces. I believe, as a matter of defense, that the armed forces departments should be separated and located in different areas. It is claimed they were merged and placed in one building for economy and efficiency. In the end it would cost less and be safer for national defense if they were decentralized.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a table.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD in two instances and include editorials.

CONTINUATION OF SESSIONS OF CONGRESS BEYOND JULY 31, 1949

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. Mr. Speaker, I rise to propound an inquiry to the Speaker and the majority leader.

Three years ago in response to a wide public demand the then Democratic Congress passed what was known as the reorganization bill. The purpose of the legislation was to initiate legislative reforms. The bill was warmly supported by the press, magazines, labor leaders, business executives, eminent educators, and students of public affairs. One of the reforms particularly stressed was the establishment of a fixed date for the adjournment of Congress.

In that bill was a paragraph, which I read:

SEC. 132. Except in time of war or in a national emergency proclaimed by the President, the two Houses shall adjourn sine die not later than the last day (Sundays excepted) in the month of July in each year unless otherwise provided by the Congress.

You will note that this is mandatory language, subject only to emergencies. Unless the House is ready to accept the flimsy excuse that 4 years after the ending of a shooting war we are still at war, there are only two other ways we can continue legally to legislate after August 1. One is through the passage of a concurrent resolution, and the other the proclaiming by the President of an emergency. There may be emergencies at this time, and if so, I would like to have them specified.

As I stated, there has been talk of keeping the Congress in session on the pretext we are in war. Technically that, of course, is true, but I submit, Mr. Speaker, that will not ring true with the American people. It is doubtful from the progress we are making toward the ending of the war that we will ever reach the time when the war shall be officially ended. Certainly there will never be peace if we are obliged to get the consent of Russia.

I further submit that to continue without a resolution will place in jeopardy legislation which we pass after August 1. The Supreme Court only the other day in the Christoffel case said a tribunal that is not competent is no tribunal. It might say in this instance that a Congress sitting without a legal right to sit is not qualified to enact legislation. Surely we are playing risky and throwing a "cloud" over our work.

Now, as to the war-emergency excuse. The President and the Congress have both given adequate evidence that they do not believe there is now an emergency. This has been indicated through the frequent relaxation of emergency controls.

President Truman, in his message to Congress on February 19, 1947, said:

To the Congress of the United States:

During the year and a half that have elapsed since the defeat of our last enemy in battle we have progressively eliminated the great majority of emergency controls over the Nation's economy. The progress of reconversion now makes it possible to take an additional step toward freeing our economy of wartime controls.

Accordingly I am recommending that the Congress repeal certain temporary statutes still in effect by virtue of the emergencies proclaimed by the President in 1939 and 1941, and I have requested the executive departments and agencies to cease operations under powers derived from certain permanent statutes that are effective only during emergencies, to the extent that such operations are related to the 1939 and 1941 emergencies.

Note that he ordered those powers should be suspended which were effective only during emergencies.

The recommendations I here present for the consideration of the Congress will, if accepted, materially assist in further freeing the country of war controls and will help make possible an early ending of the emergencies. I have under continuing study the question of terminating the emergencies proclaimed in 1939 and 1941, and intend to take action as soon as circumstances permit.

In my recent message to the Congress on the state of the Union I outlined the following program with respect to the termination of emergency and wartime powers:

"Two groups of temporary laws still remain: The first are those which by congressional mandate are to last during the 'emergency'; the second are those which are to continue until the 'termination of the war.'

"I shall submit to the Congress recommendations for the repeal of certain of the statutes which by their terms continue for the duration of the 'emergency.' I shall at the same time recommend that others within this classification be extended until the state of war has been ended by treaty or by legislative action. As to those statutes which continue until the state of war has been terminated, I urge that the Congress promptly consider each statute individually, and repeal such emergency legislation where advisable."

Accordingly, I now submit recommendations with respect to more than 100 laws which are affected by the limited emergency declared September 8, 1939, or the unlimited emergency declared May 27, 1941.

In the case of those statutes that remain in force until termination of the war, I have directed the executive departments and agencies to assist the Congress in its consideration of these statutes, individually, by making available full information concerning them to the appropriate congressional committees. The work done on this subject in the Seventy-ninth Congress by the Committee on the Judiciary of both Houses, with the assistance of the Office of War Mobilization and Reconversion, the Department of Justice, and other Government agencies, should offer valuable aid to the Congress in accomplishing the task which remains. At a later date it may prove desirable to send a further communication to the Congress concerning these statutes.

Emergency laws dealt with in this message fall into five broad classes: (a) Temporary statutes which are no longer needed, and which consequently should be repealed forthwith; (b) permanent statutes under which operations related to the 1939 or 1941 emergencies have been or are being discontinued, but which should remain for possible use during future emergencies; (c) statutes appropriating funds, which should, when the funds are no longer required be handled by recission of funds rather than by repeal of the statutes; (d) statutes which should be temporarily extended by the Congress pending consideration of permanent legislation or other disposition as indicated below; (e) statutes which should continue in force for the period or purpose stipulated.

In appendixes to this message the statutes under reference are enumerated according to the above classifications.

It will be observed there is no mention of this particular restriction in Congress adjournment. Furthermore, I am informed that the committee which framed this resolution in 1946 came very nearly omitting the reference to emergencies. It was only included by the House as an extreme precautionary measure. At the time the reorganization bill was adopted there was no emergency in their minds, and we are now 3 years later.

On January 1, 1947, the President said:

Although a state of war still exists, it is at this time possible to declare, and I find it to be in the public interest to declare, that hostilities are terminated.

Then he went on to talk about the controls that should be eliminated.

The President on February 19, 1947, sent another message to the Congress, and he said:

During the year and a half that have elapsed since the defeat of our last enemy in battle, we have progressively eliminated the great majority of emergency controls over the Nation's economy. The progress of reconversion now makes it possible to take an additional step toward freeing our economy of wartime controls.

Accordingly, I am recommending that the Congress repeal certain temporary statutes still in effect by virtue of the emergencies proclaimed by the President in 1939 and 1941, and I have requested the executive departments and agencies to cease operations under powers derived from certain permanent statutes that are effective only during emergencies, to the extent that such operations are related to the 1939 and 1941 emergencies.

The recommendations I here present for the consideration of the Congress will, if accepted, materially assist in further freeing the country of war controls and will help make possible an early ending of the emergencies. I have under continuing study the question of terminating the emergencies proclaimed in 1939 and 1941, and intend to take action as soon as circumstances permit.

In my recent message to the Congress on the state of the Union I outlined the following program with respect to the termination of emergency and wartime powers:

"Two groups of temporary laws still remain: The first are those which by Congressional mandate are to last during the 'emergency'; the second are those which are to continue until the 'termination of the war'.

"Accordingly, I now submit these recommendations."

You will note from that the President had progressively ended war controls because the emergencies were over.

Mr. Speaker, I bring this up, I assure you, not in any partisan manner; not in any manner except to clarify the situation, that we may know properly where we stand. I want to remove if possible the cloud over our legislative acts. I believe that this can only legally be assured through the adoption of a resolution by both branches of the Congress. The fact it is so easy for Congress to continue its session by resolution is sufficient reason that emergency wartime proposals should not be utilized to keep Congress in session. If the Congress by any chance was in such a position that it could not help itself, there might be some reason to defend the restriction. Congress is here. Congress could simply pass a resolution extending it indefinitely or to a given date. But I submit, Mr. Speaker, that not only for today but for the years to come, unless we exercise common sense and reason we will go on indefinitely being deprived of one of the essential reforms of the reorganization act because we are at war.

Mr. Speaker, I submit this question to you with confidence in your integrity. I do it as a contribution to orderly procedure and in an effort to clarify a grave doubt.

The SPEAKER. The Chair is prepared to answer the parliamentary inquiry of the gentleman from Massachusetts. The gentleman from Massachusetts was kind enough to advise the Chair on last Monday that he intended to raise this question so that the House might have an interpretation for its guidance.

Section 132 of the Legislative Reorganization Act of 1946 provides:

SEC. 132. Except in time of war or during a national emergency proclaimed by the President, the two Houses shall adjourn sine die not later than the last day (Sundays excepted) in the month of July in each year unless otherwise provided by the Congress.

It is indisputable that we were on August 2, 1946, the time the Legislative Reorganization Act was passed, in a state of war, and that the national emergencies declared by the President on September 8, 1939, and May 27, 1941, were still in effect. That same state of affairs continues today. The state of war still exists, and the national emergencies declared by the President still exist.

That fact—that the state of war and national emergencies have continued to exist—has been recognized on numerous occasions. Following the passage of the

Legislative Reorganization Act the President on December 31, 1946, issued his proclamation declaring the cessation of hostilities of World War II. At that time the President stated that his proclamation did not effect the termination of the national emergencies or of the state of war.

The Supreme Court on at least two occasions since the passage of the Legislative Reorganization Act, and as recently as February 1948, recognized the distinction between the termination of hostilities and the termination of the war itself.

In *Fleming* v. *Mohawk Wrecking & Lumber Co.* (331 U. S. 111), decided in 1947, the Supreme Court unanimously upholding the exercise of authority by the President under title I of the First War Powers Act of 1941, which the President was authorized to use only in matters relating to the conduct of the present war, said:

> The cessation of hostilities does not necessarily end the war power.

In *Woods* v. *Miller Co.* (333 U. S. 138), decided in 1948, the Supreme Court again, and once more unanimously, upheld the constitutionality of the Housing and Rent Act of 1947 as a valid exercise by the Congress of its war powers, saying:

> Whatever may be the consequences when war is officially terminated, the war power does not necessarily end with the cessation of hostilities.

The Congress itself in enacting Senate Joint Resolution 123, Eightieth Congress, a year after the passage of the Legislative Reorganization Act, recognized the continued existence of the state of war and of the emergencies.

It will be recalled that Senate Joint Resolution 123, which became Public Law 239 of the Eightieth Congress, provided that with respect to a number of specified statutory provisions the war and the emergencies should be considered terminated. But the central principle—that the state of war and the national emergencies continued to exist—was clearly recognized and reinforced.

The Chair is not aware that either the Congress or the President has taken any step whatever which would have the effect of terminating World War II as such or the national emergencies as such. For the foregoing reasons it is clear that section 132 of the Legislative Reorganization Act has no effect at this time because in its own words it is not effective "in time of war or during a national emergency proclaimed by the President."

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. I assume, of course, from the response of the Speaker that we are to continue with the session after August 1, with no further action in the way of a resolution by the Congress.

The SPEAKER. That would be the interpretation of the Chair, that it would not be necessary to pass a concurrent resolution for the continuance of the Congress beyond the 1st of August.

Mr. HALLECK. Then, Mr. Speaker, since it is apparent that we are going to go beyond the 1st of August, I wonder if the Speaker can give us any information as to when we may reasonably expect that the work of the House of Representatives may be concluded in order that we may be in a little better position to make our plans for the rest of the year and, I believe, to make some determinations as to the legislative program. I understand, that it may well be that the Speaker is not in any position at this time to say anything to us about this matter about which I am inquiring, but I can see around me what I am sure is a lot of interest in the matter about which I have inquired. I am quite sure that my colleagues will join with me in expressing the hope that very shortly we can come to the end of the labors of this session and get back home.

The SPEAKER. The Chair may say, in response to the inquiry of the gentleman from Indiana, that anything he may say about the length of this session would be only the expression of a hope.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, if the Supreme Court should decide that the war has terminated, would that not vitiate every law that we would pass from now on without passing a resolution?

May I say to the Speaker that I am somewhat alarmed at a recent decision of the Supreme Court setting aside the conviction of a man for committing perjury before a committee of the House on the ground there was not a quorum present. Suppose the Supreme Court should go off on a similar tangent and decide that the war has been terminated, would that not vitiate any legislation we might pass unless we passed a resolution to continue the session, as the law provides, and would it not be a simple matter to bring in a resolution extending the regular session as provided by law and thus eliminate that danger?

The SPEAKER. Of course, the Chair is not in position or not of a disposition to guess or prognosticate on what the Supreme Court of the United States will do.

Mr. RANKIN. I would not impose that burden on the Chair, of course.

The SPEAKER. But if and when that time comes the Congress could by its own action clear up those things.

Mr. RANKIN. The trouble is, Mr. Speaker, that after we have legislated for 6 weeks more, and I think we will be here until the middle of September, if the Supreme Court were to hold that the war had terminated and that we were sitting without authority, it might affect every law that we would pass in the next 6 weeks.

The SPEAKER. The Chair would think that the Supreme Court of the United States reads the CONGRESSIONAL RECORD.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Mr. Speaker, we all appreciate that this is a very vital question, that it is a question of law and in the final analysis has to be decided by the Supreme Court of the United States.

The Chair has made his ruling and that ruling is binding upon the House and can only be challenged in the courts.

This question gave me some concern and on yesterday I asked the American Law Division of the Legislative Reference Service to prepare a brief for me on the questions involved. That brief was delivered to me a few minutes ago. I have not had time to thoroughly digest it. Some of the brief is not in keeping with what my views were; however, I may possibly be wrong.

Inasmuch as this is a legal proposition to be decided by the law and the precedents, I think the entire membership of the House is entitled to the conclusion of this agency which the Congress has set up in the Library of Congress for the express purpose of advising the Congress as to what the decisions indicate, as well as its conclusions.

I therefore ask unanimous consent, Mr. Speaker, that the opinion rendered by Mr. Frank B. Horne, American Law Section, of July 26, be included at this point in the RECORD.

The SPEAKER. Would the gentleman be willing to have that inserted in the Appendix of the RECORD?

Mr. MICHENER. If the Speaker desires, I would be willing, but inasmuch as this whole question is so vital and should all be considered together, I believe it should be inserted at this point. I may say to the Chair that the opinion is not at variance with the ruling which the Speaker has made, even though it is not in keeping with my preconceived views.

The cases to which the Speaker has referred are cited as well as many others. I think it would be for the benefit of all those interested to have these views at one spot in the CONGRESSIONAL RECORD. Of course, I shall be pleased to abide by whatever the Speaker says.

Mr. RANKIN. Mr. Speaker, reserving the right to object, and I shall not object, I would like to say to the gentleman from Michigan, and to the House, that it seems to me that the wise thing to do is to pass a continuing resolution immediately. I do not think there would be any particular objection to it, and it would eliminate the danger of having the laws we pass during the rest of the session set aside by the Supreme Court.

Mr. MICHENER. There is no question about that. I was on the Reorganization Committee, and the intent and the purpose was to fix a final and a definite date which would control the annual sine die adjournment unless the Congress, in its wisdom, decided otherwise before the date specified, on the 31st day of July in each year, arrived. The Speakers ruling holds that we are still at war technically, that an emergency declared by the President in 1937 and another one declared in 1941 still exists. Therefore, the only solution, if we want to adjourn, is to pass a resolution of adjournment, fixing the date. That will remove all doubt.

The SPEAKER. As to the request of the gentleman from Michigan, of course, the gentleman from Michigan knows that the Chair has no more respect for

any other Member of the House than he has for him, but the Chair would prefer, if the gentleman does not object, that the matter he speaks of be extended in the Appendix of the RECORD.

Mr. MICHENER. Mr. Speaker, may I suggest, in view of what I said, that if it is not objectionable, that the decision be inserted immediately preceding the ruling of the Chair? It is not at variance with the ruling; it is amplifying.

The SPEAKER. The Chair, of course, would not object to that himself.

Mr. HOFFMAN of Michigan. I object, Mr. Speaker.

The SPEAKER. But the Chair thinks that that would hardly be the place for it to go.

Mr. VORYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VORYS. The Chair has given an expression of his views, but is this not the case, that the only way in which the Chair could rule on the point would be if a point of order were made after July 31 to some action of the House on the ground that the House is not in session? The Chair cannot rule in advance.

The SPEAKER. The Chair assumes that the gentleman from Massachusetts [Mr. MARTIN] made his parliamentary inquiry today in order to obviate a thing like that.

PERMISSION TO ADDRESS THE HOUSE

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. JUDD addressed the House. His remarks appear in the Appendix.]

REORGANIZATION PLANS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to ask a question of the gentleman from Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, is it the position of the gentleman from Minnesota that unless such a resolution, putting into effect the reorganization plans of the President prior to August 19, is passed, and later there should be a court decision that the Congress had no right to sit after July 31, then, by waiting until August 19 any reorganization plan that might be submitted by the President would be ruled illegal, and chaos would be created in the Government.

Mr. JUDD. That is right, because the 60 days would not have expired.

Mr. BROWN of Ohio. Under the Reorganization Act, of course, unless 60 days of a session do expire, the reorganization plans do not become effective?

Mr. JUDD. That is right.

PARLIAMENTARY INQUIRY

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. There is some confusion in the minds of some of us as to whether the opinion referred to by the gentleman from Michigan [Mr. MICHENER] was to be printed at that point in the RECORD or in the Appendix. May I have a statement as to where it is to go?

The SPEAKER. The Chair submitted the request of the gentleman from Michigan [Mr. MICHENER]. If anyone objected, the Chair did not hear it.

Mr. HOFFMAN of Michigan. There was an objection, Mr. Speaker.

The SPEAKER. Did the gentleman himself object?

Mr. HOFFMAN of Michigan. Yes; I think it should go in the Appendix.

The SPEAKER. The gentleman objects to its appearing in the RECORD at that point.

MILITARY RENTAL HOUSING

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (S. 1184) to encourage construction of rental housing on or in areas adjacent to Army, Navy, Marine Corps, and Air Forces installations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1127)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1184) to encourage construction of rental housing on or in areas adjacent to Army, Navy, Marine Corps, and Air Force installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: ", except that where the Secretary of Defense or his designee in exceptional cases certifies and the Commissioner concurs in such certification that the needs would be better served by single-family detached dwelling units the mortgage may involve a principal obligation not to exceed $9,000 per family unit for such part of such property as may be attributable to such dwelling units"; and on page 18 of the Senate engrossed bill, line 22, after the word "defense" insert "or in the public interest."

And the House agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
MIKE MONRONEY,
JESSE P. WOLCOTT,
RALPH A. GAMBLE,
Managers on the Part of the House.

BURNET R. MAYBANK,
JOHN SPARKMAN,
PAUL H. DOUGLAS,
RALPH E. FLANDERS,
HARRY P. CAIN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1184) to encourage construction of rental housing on or in areas adjacent to Army, Navy, Marine Corps, and Air Force installations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Under the Senate bill the mortgage could involve a principal obligation of not to exceed an average of $8,100 per family unit. The House amendment provided in addition that where the Commissioner finds in exceptional cases that there is a need for larger-sized family units in any project the mortgage may involve a principal obligation in an amount not to exceed $9,000 per family unit. The conference agreement retains the $8,100 figure generally but provides that where the Secretary of Defense or his designee and the Commissioner certify that the needs would be better served by single-family detached-dwelling units the mortgage may involve a principal obligation of not to exceed $9,000. In addition it is provided that utility of related service may be furnished where the furnishing thereof is in the public interest as well as in cases where it is in the interest of national defense.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
MIKE MONRONEY,
JESSE P. WOLCOTT,
RALPH A. GAMBLE,
Managers on the Part of the House.

Mr. SPENCE. Mr. Speaker, this is the conference report we attempted to bring up yesterday by unanimous consent. It was objected to at that time because the report had not been printed. The amendments agreed to by conferees were minor amendments, and were explained at that time.

Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, the conference report before us is on a bill which was considered in the House under a suspension of the rules. Therefore, it could not be amended. The bill provides for the building of military housing involving millions and millions of dollars. It is a gigantic program. Despite the talk about the abolition of segregation and discrimination in the armed forces these conditions still exist. There is nothing in this bill protecting Americans against these conditions. Here we are providing for the building of military housing with the money of all the taxpayers, Negro and white, and no provision is made for protection against discrimination and segregation in this housing program. There is absolutely no guaranty against discrimination and segregation in this military-housing program which is of such gigantic proportions.

Since we could not offer such an amendment in the House, because the bill was considered under suspension of the rules, there is only one recourse left to those of us who believe in guaranteeing housing against conditions of segregation and discrimination, and that is to recommit this conference report to the Committee of Conference as a protest and in the hope that that body, as the

third legislative body of this Congress, will write those guaranties which are consistent with the desires of the American people to abolish segregation and discrimination, particularly in the armed forces.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. GAMBLE. Mr. Speaker, I have no requests for time.

Mr. SPENCE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MARCANTONIO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARCANTONIO. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MARCANTONIO moves to recommit the conference report on S. 1184 to the committee of conference.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 52, nays 289, not voting 91, as follows:

[Roll No. 145]

YEAS—52

Biemiller	Havenner	Marcantonio
Blatnik	Holifield	Morgan
Buckley, Ill.	Howell	Norton
Burke	Jackson, Wash.	O'Brien, Mich.
Carroll	Jacobs	O'Hara, Ill.
Cavalcante	Javits	O'Sullivan
Chudoff	Karsten	Rhodes
Crosser	Kee	Roosevelt
Davenport	Kelley	Sadowski
Dawson	King	Sullivan
Dollinger	Klein	Tauriello
Douglas	Lesinski	Wagner
Feighan	Linehan	Welch, Calif.
Fulton	McCarthy	Wier
Furcolo	McGrath	Yates
Gorski, N. Y.	McGuire	Young
Granahan	McSweeney	
Granger	Madden	

NAYS—289

Abbitt	Battle	Buchanan
Abernethy	Beall	Burdick
Addonizio	Beckworth	Burleson
Albert	Bennett, Fla.	Burton
Allen, Calif.	Bennett, Mich.	Byrnes, Wis.
Allen, Ill.	Bentsen	Cannon
Allen, La.	Bishop	Carlyle
Andersen, H Carl	Blackney	Carnahan
	Boggs, Del.	Case, N. J.
Anderson, Calif.	Boggs, La.	Celler
Andresen, August H.	Bolling	Chesney
	Bolton, Md.	Chiperfield
Andrews	Bolton, Ohio	Christopher
Angell	Bonner	Church
Arends	Bosone	Clemente
Aspinall	Boykin	Cole, Kans.
Auchincloss	Bramblett	Colmer
Bailey	Breen	Combs
Baring	Brooks	Cooley
Barrett, Wyo.	Brown, Ga.	Cooper
Bates, Ky.	Brown, Ohio	Cotton
Bates, Mass.	Bryson	Cox
Crook	Jones, N. C.	Poulson
Curtis	Karst	Preston
Dague	Kean	Price
Davis, Ga.	Kearns	Priest
Davis, Tenn.	Keating	Quinn
Davis, Wis.	Keefe	Rabaut
Deane	Kennedy	Rains
DeGraffenried	Kerr	Ramsay
Delaney	Kilday	Rankin
Denton	Kirwan	Rees
D'Ewart	Kruse	Regan
Dolliver	Kunkel	Rich
Dondero	Lane	Richards
Donohue	Lanham	Riehlman
Doughton	Larcade	Rivers
Doyle	LeCompte	Rodino
Durham	LeFevre	Rogers, Fla.
Eberharter	Lemke	Rogers, Mass.
Elliott	Lind	Sadlak
Ellsworth	Lodge	St. George
Engel, Mich.	Lucas	Sanborn
Evins	McConnell	Sasscer
Fenton	McCormack	Scott, Hugh D., Jr.
Fernandez	McCulloch	
Fisher	McDonough	Scrivner
Flood	McMillan, S. C.	Scudder
Forand	McMillen, Ill.	Secrest
Frazier	Mack, Ill.	Simpson, Ill.
Fugate	Mack, Wash.	Simpson, Pa.
Gamble	Macy	Sims
Garmatz	Magee	Smith, Kans.
Gary	Mahon	Smith, Va.
Gathings	Mansfield	Smith, Wis.
Gavin	Marsalis	Spence
Gillette	Marshall	Staggers
Golden	Martin, Iowa	Steed
Gordon	Martin, Mass.	Stefan
Gore	Mason	Stigler
Gorski, Ill.	Merrow	Stockman
Gossett	Meyer	Sutton
Graham	Michener	Taber
Grant	Miles	Tackett
Gregory	Miller, Md.	Talle
Gross	Miller, Nebr.	Teague
Hagen	Monroney	Thomas, Tex.
Hale	Morris	Thompson
Hall, Edwin Arthur	Morrison	Thornberry
	Morton	Tollefson
Hand	Moulder	Towe
Harden	Multer	Trimble
Hare	Murdock	Underwood
Harris	Murray, Tenn.	Van Zandt
Hart	Murray, Wis.	Velde
Harvey	Nelson	Vinson
Hays, Ark.	Nicholson	Wadsworth
Hébert	Noland	Walsh
Heffernan	Norblad	Weichel
Herlong	Norrell	Welch, Mo.
Heselton	O'Brien, Ill.	Werdel
Hill	O'Hara, Minn.	Wheeler
Hinshaw	O'Konski	Whitaker
Hobbs	O'Neill	White, Calif.
Hoeven	Pace	Whitten
Hoffman, Mich.	Passman	Whittington
Holmes	Patman	Wickersham
Hope	Perkins	Wigglesworth
Horan	Peterson	Williams
Hull	Pfeiffer, William L.	Willis
Jackson, Calif.		Wilson, Okla.
James	Philbin	Wilson, Tex.
Jenison	Phillips, Calif.	Winstead
Jenkins	Phillips, Tenn.	Wolverton
Johnson	Pickett	Wood
Jonas	Plumley	Woodruff
Jones, Ala.	Poage	Worley
Jones, Mo.	Polk	Zablocki

NOT VOTING—91

Barden	Ford	Lynch
Barrett, Pa.	Gilmer	McGregor
Bland	Goodwin	McKinnon
Brehm	Green	Miller, Calif.
Buckley, N. Y.	Gwinn	Mills
Bulwinkle	Hall, Leonard W.	Mitchell
Burnside		Murphy
Byrne, N. Y.	Halleck	Nixon
Camp	Hardy	O'Toole
Canfield	Harrison	Patten
Case, S. Dak.	Hays, Ohio	Patterson
Chatham	Hedrick	Pfeifer, Joseph L.
Chelf	Heller	
Clevenger	Herter	Potter
Cole, N. Y.	Hoffman, Ill.	Powell
Corbett	Huber	Redden
Coudert	Irving	Reed, Ill.
Crawford	Jennings	Reed, N. Y.
Cunningham	Jensen	Ribicoff
Davies, N. Y.	Judd	Rooney
Dingell	Kearney	Sabath
Eaton	Keogh	Scott, Hardie
Elston	Kilburn	Shafer
Engle, Calif.	Latham	Sheppard
Fallon	Lichtenwalter	Short
Fellows	Lovre	Sikes
Fogarty	Lyle	Smathers
Smith, Ohio	Vorys	Wilson, Ind.
Stanley	Vursell	Withrow
Taylor	Walter	Wolcott
Thomas, N. J.	White, Idaho	Woodhouse

So the motion to recommit was rejected.

The Clerk announced the following pairs:

General pairs until further notice:

Mrs. Woodhouse with Mr. Latham.
Mr. Miller of California with Mr. Coudert.
Mr. Lyle with Mr. Leonard W. Hall.
Mr. Mills with Mr. Reed of New York.
Mr. Powell with Mr. Wilson of Indiana.
Mr. Joseph L. Pfeifer with Mr. Smith of Ohio.
Mr. Hardy with Mr. Herter.
Mr. Irving with Mr. Crawford.
Mr. Chatham with Mr. Lovre.
Mr. Davies of New York with Mr. Nixon.
Mr. Engel of California with Mr. Potter.
Mr. Camp with Mr. Vorys.
Mr. Burnside with Mr. Case of South Dakota.
Mr. Bland with Mr. Cunningham.
Mr. McKinnon with Mr. Fellows.
Mr. Hedrick with Mr. Goodwin.
Mr. Buckley of New York with Mr. Jennings.
Mr. Byrne of New York with Mr. Jensen.
Mr. Ribicoff with Mr. Canfield.
Mr. Murphy with Mr. Hardie Scott.
Mr. Mitchell with Mr. Halleck.
Mr. Fallon with Mr. Eaton.
Mr. Fogarty with Mr. Walcott.
Mr. O'Toole with Mr. Hoffman of Illinois.
Mr. Keogh with Mr. Taylor.
Mr. Lynch with Mr. Cole of New York.
Mr. Patten with Mr. Brehm.
Mr. Sikes with Mr. Elston.
Mr. Smathers with Mr. McGregor.
Mr. Stanley with Mr. Kilburn.
Mr. Walter with Mr. Lichtenwalter.
Mr. Huber with Mr. Patterson.
Mr. Jones of Alabama with Mr. Reed of Illinois.
Mr. Green with Mr. Gwinn.
Mr. Gilmer with Mr. Judd.
Mr. Barrett of Pennsylvania with Mr. Kearney.
Mr. Chelf with Mr. Withrow.
Mr. Dingell with Mr. Short.
Mr. Redden with Mr. Shafer.
Mr. Harrison with Mr. Vursell.
Mr. Rooney with Mr. Ford.

Mr. JACKSON of Washington changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file reports.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, a few moments ago I asked that an opinion from the Legal Department of the Library of Congress be inserted in the body of the RECORD. I was uncertain as to whether or not my request was granted. I am advised that the gentleman from Michigan [Mr. HOFFMAN] objected. Therefore, I ask unanimous consent,

after having spoken to the gentleman from Michigan [Mr. HOFFMAN], that this document may be inserted in the Appendix of the RECORD and that I may have permission to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INSECTS AND PLANT DISEASES

Mr. KERR. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 327, making an additional appropriation for control of emergency outbreaks of insects and plant diseases.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. TABER. Mr. Speaker, reserving the right to object, is it proposed that this will be taken up in the House as in Committee of the Whole? This will require some explanation.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent that House Joint Resolution 327, making an additional appropriation for control of emergency outbreaks of insects and plant diseases, be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. KERR]?

Mr. PHILLIPS of California. Reserving the right to object, will that mean we will have an opportunity to discuss the matter?

The SPEAKER. It will be considered under the 5-minute rule.

Is there objection?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the following sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1950:

DEPARTMENT OF AGRICULTURE

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

For an additional amount for "Control of emergency outbreaks of insects and plant diseases", $1,500,000.

Mr. KERR. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the joint resolution before you provides the amount of $1,500,000 for the control of emergency outbreaks of insects and plant diseases under the Department of Agriculture. This amount is made necessary principally as a result of emergency outbreaks of grasshoppers in the States of Wyoming and Montana and in certain scattered areas in the States of Nevada, California, Arizona, Texas, Kansas, Colorado, and Nebraska.

Witnesses testified that of the amount of $1,495,000 appropriated for the fiscal year 1950, nearly the entire amount had been expended in fighting the infestation in these areas. The rate of expenditure at the present time, according to testimony, is in the neighborhood of $200,000 a day on the days that bait is purchased which, however, is only three or four times a month. Contract obligations for the hiring of aircraft used in spreading the bait is about $30,000 a day.

On the basis of these expenditures, it is believed that the amount recommended will carry the Department through the grasshopper season. An area of 2,700,000 acres has already been treated, and approximately the same number of acres still remain to be treated.

The committee was surprised to learn of the small contributions made by the affected States, and we have, accordingly, informed the Department that greater efforts must be made to secure State and county assistance. The States of Wyoming and Montana, for instance, have appropriated only the amount of $200,000 for this purpose. While approximately 60 percent of the area already treated and to be treated is public domain and a responsibility of the Federal Government, nonetheless, members of the committee feel where the work is done in the interest of the States, counties, and private ranches that additional financial assistance should be insisted upon.

This is the heaviest infestation of grasshoppers experienced for a number of years, and it is believed that a wise expenditure of the amount recommended will decrease the population sufficiently to minimize the destruction this year and reduce the hatching and render the control of this pest easier the following year.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. KERR. I yield.

Mr. H. CARL ANDERSEN. How much was requested by the budget for this particular job?

Mr. KERR. Three million five hundred thousand dollars.

Mr. H. CARL ANDERSEN. That was my understanding. I am asking that for the information of the House. Our Appropriations Committee has allowed only $1,500,000. Is it the gentleman's understanding that it is entirely within the rights of the Department of Agriculture whether they can spend this entire $1,500,000 on grasshopper control, or are they forced to expend one-third of it, as some of us believe, in other controls?

Mr. KERR. There is no legislative restriction with respect to that. The Department of Agriculture, which has this under control, can spend it wherever the infestation is worst.

Mr. H. CARL ANDERSEN. Does the gentleman feel this is a sufficient amount of funds to do this job?

Mr. KERR. Well, we felt that way about it.

Mr. H. CARL ANDERSEN. The Department said they needed $3,500,000.

Mr. KERR. Yes; that was the amount.

Mr. H. CARL ANDERSEN. May I say with reference to your remarks as to the States and counties affected making appropriations, of course, we know that the hatching grounds are out there in the West, and we in Minnesota, Iowa, and Nebraska are not interested in these flights of grasshoppers coming east. It is really in our States, though, that they do the damage after they leave the breeding grounds back there in Wyoming and Montana. Naturally our people are awake to the fact that the menace is there.

Mr. KERR. The gentleman realizes, of course, that these infested areas are problematical; sometimes they break out where you do not expect them. The committee thought that this $1,500,000 was sufficient to take care of it.

Mr. H. CARL ANDERSEN. My sole purpose in asking these questions of the gentleman from North Carolina has been that I want in the RECORD for the other body to see the question of whether or not this sum is sufficient. I would like to have that gone into very thoroughly when the other body does consider this particular appropriation.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. TABER. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, there was appropriated in the first deficiency bill which was passed on the 24th of May $1,750,000 to be used to get them started on this grasshopper operation. There was also appropriated $1,495,000 in the regular agriculture bill which became law on the last of June. Down to the 22d of July Dr. Rohwer told us that they had expended that amount, $1,250,000, for bait and that they had spent out of the $1,450,000, $1,116,000 for grasshopper control, and for other activities $116,130. The activities for grasshopper control would total in connection with this particular drive that they have on in Wyoming and Montana where the heft of this trouble is, according to their estimates on page 18 of the hearings, $1,195,000. There were some other activities in which they wanted to engage in other States, but they were smaller activities. We felt that if we gave them $1,500,000 that that should carry them through, and it was for that reason that the committee recommended this amount. The House, of course, must realize that a department is never satisfied with what it gets; the sky is the limit with them, and even if the break-down does not add up to what they wanted they still want it. But I really feel that if we give them this amount of money that that is all they will need to carry the job along and do it right. When you consider this matter you have to take into consideration that they will have had probably a million and a half dollars more than they used altogether for every activity last year and this should permit them to go a long way.

Mr. BARRETT of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wyoming.

Mr. BARRETT of Wyoming. Is it not a fact that the officials of the Bureau of Entomology and Plant Quarantine testified that the infestation is much worse than they anticipated when they appeared before the gentleman's committee in May?

Mr. TABER. I think that is probably so. That is why they are planning to

spend $1,195,000 in cleaning up this infested area in Montana and Wyoming.

Mr. BARRETT of Wyoming. The hearings have been made available just a moment ago and I have not had an opportunity to read them, but according to my information the intensity of grasshoppers is considerably greater than anticipated, and also the infested areas cover nearly 3,000,000 more acres than originally expected. We had no cold rains during the spring and practically every grasshopper hatched and, consequently, the situation got out of control. It took twice as much bait per acre, and, of course, it took more time and money than anyone could possibly anticipate. I doubt if the job has been half completed.

Mr. TABER. They said it was half covered and they expected to cover the rest of it with that amount of money.

Mr. BARRETT of Wyoming. I have conferred with the officials of the Department on numerous occasions and I have been informed that at least $2,500,000 will be needed to do the job. These grasshoppers have done immeasurable damage in Wyoming and Montana, but there is great danger to the entire Mountain States area because these grasshoppers, when matured, can fly upward of 300 miles and, thereby, infest new areas. While I appreciate the action of this committee, nevertheless, I had hoped the appropriation would be larger.

Mr. TABER. Yes, but they went into a lot of other things, too, which they had the money for already.

Mr. BARRETT of Wyoming. I want to clear up one other item, if the gentleman will permit. The chairman of this committee, Judge KERR, said that the State of Wyoming had appropriated $110,000 to assist in this program. Is it not a fact that each of the counties in the infested area has assisted in this program and the individual ranchers or farmers, whether they had privately owned land or Government land, have contributed in addition at the rate of 10 cents an acre for the application of this poison bait on their land?

Mr. TABER. I think there are some payments by the counties and by the individual landowners. Some of it is in the nature of work that is furnished by the farmers.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRETT of Wyoming. May I say to the gentleman that this program was carried out only where every landowner in blocks up to 20,000 acres joined in paying for every acre that was poisoned, where the counties paid for mixing and loading the bait into airplanes and where the States cooperated; so that the fact of the matter is that the States, the counties, and the individuals have done everything that they have been asked to do to carry out this program.

This infestation is the worst since 1934 and the people of Wyoming have cooperated in every way possible to put the program over. The spreading of bait by airplanes has proved very effective. I may say to the gentleman that the Department proposes to require a higher contribution from the ranchers to be assisted with the funds made available by this appropriation. I assume that is being done because the State funds have been exhausted.

Mr. TABER. They did not tell us anything about that.

Mr. BARRETT of Wyoming. I am sure that is the fact.

Mr. TABER. It may be.

Mr. D'EWART. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Montana.

Mr. D'EWART. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. D'EWART. Mr. Speaker, I am glad the Appropriations Committee has reported this special appropriation to continue the campaign against grasshoppers in the States of Montana and Wyoming where the infestation this year is extremely heavy.

In the affected areas, many thousands of acres of rangeland have been seriously damaged by the insects. As serious as this condition is, the damage the insects can do to croplands in other areas if they are not exterminated before they begin their migration is of even greater importance.

It is unfortunate that an underestimation of the extent of the infestation has brought about a temporary halt in the eradication campaign due to the exhaustion of funds available for the work. It is important that the additional funds contained in this measure be made available at the earliest possible opportunity. Once the insects begin to lay eggs and to migrate, it is too late to prevent an even more serious infestation next year.

I note that the committee in its report is somewhat critical of the efforts made by the States of Montana and Wyoming and by local interests. I might say in this connection that the legislature of the State of Montana appropriated $50,000 to be matched by the counties to fight grasshoppers. This appropriation was made before the extent of the infestation was known. The State legislature recessed in March and the State has had no opportunity to make additional appropriations for this purpose, if it were warranted to do so.

I believe the farmers and ranchers in the area are to be commended for the part they have taken in this work. I have no exact figures to offer, but it is known that many hundreds of them have assessed themselves from 10 to 24 cents per acre to spread the poison bait on their lands. Some of them have been pleased to have the help of the Federal Government in this campaign. Some of them have told me they could do a better job without Federal interference.

The work of eradicating these insects is extremely important and I hope that this appropriation, which is needed so badly right now, will be approved by the Congress.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Nebraska.

Mr. STEFAN. As I understand it, of this $1,500,000 65 percent will be used for the eradication of grasshoppers. I am also assured by members of the committee, in answer to some inquiries that have been made of me, that in addition to grasshoppers this money will be used for the eradication of the Mormon cricket, which is nothing more nor less than a larger grasshopper. Is that true?

Mr. TABER. That is within the range of this appropriation. The Department has the authority to move in on all of these things. The title of the appropriation is "Control of emergency outbreak of insect and plant diseases" so that it would cover those items.

Mr. STEFAN. As I understand it, the situation is not as acute as it was in 1931, 1932, and 1934 when there was a grasshopper plague in most of the States of the Middle West. The purpose of this program is to eradicate the grasshoppers which are now in the adult state in order to stop them from flying from their present location.

Mr. TABER. That is what we were told, that the concentrated infestation is in eastern Wyoming and eastern Montana. I think, as a matter of fact, it is northeastern Wyoming and southeastern Montana.

Mr. STEFAN. The report indicates it is also prevalent in some parts of Nebraska.

Mr. TABER. Well, it may spread over into the edges a little, but according to the map it did not indicate very much.

Mr. STEFAN. And the committee felt that $1,500,000 would be sufficient to stop the grasshoppers going into other locations.

Mr. TABER. That is right.

Mr. STEFAN. And you did not need the amount of money at the time this infestation was in approximately 24 States.

Mr. TABER. That is correct.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PHILLIPS of California. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I have considerable doubt of the propriety of bringing a bill of this kind before the Congress without an opportunity for full discussion and without a full understanding of it. I address myself particularly to the Representatives, Mr. Speaker, of some of the Southern States.

The program for the elimination of grasshoppers—and in that classification is included the Mormon cricket—began about 1935, and has been a fairly successful program. This year there was a much greater infestation than before. It is not an emergency situation in the sense that nobody knew about it because the gentleman from Montana [Mr. D'EWART], who is sitting directly in front

of me, appeared, I recall, before the Senate subcommittee in connection with the third deficiency appropriation bill, so that I think there is time or should be time for us to find out just what we are doing.

I shall vote for the bill. I do not think—and what I say could easily be confirmed—I do not think there will be the mathematical division of the funds between the objectives that has been expressed upon this floor today, either by the chairman or by other members of the committee.

These programs are carried out in conjunction with the State, and I rise, Mr. Speaker, to state that I am very much in favor of that. I have never held the idea whicl. may be expressed as a theory that if the neighbors have chickenpox, and when your children get chickenpox, you should not spend anything on it because they got it from the neighbors. I have argued in my own State regarding contributions from that State in connection with insect infestations against which, I believe, the States should make larger contributions.

I want to point out, particularly to the gentlemen from Louisiana, Florida, North Carolina, Georgia, Alabama, and other Southern States, that there will not be the money in this bill which I think they believe is in the bill for the continued operation of the white-fringe-beetle program or Hall scale. Hall scale is pretty well under control. The white-fringe beetle has been under control recently. It is a root borer that is very damaging to cotton, potatoes, and some other crops. My point is that I am not objecting to the bill, but I want it thoroughly understood that, in my opinion, there will not be the money in this bill, when it is divided, to take care of the control of grasshoppers, or, if it is used for that, then the money will not be there for the carrying on of the annual program which has been carried on in the Southern States against the other insects which are recited in the bill.

Mr. STEFAN. Mr. Speaker, if the gentleman will yield, has the gentleman found out yet what a white-fringe beetle is?

Mr. PHILLIPS of California. Yes. The gentlemen had a pretty good idea in the committee meeting, but thought we should have more information.

Mr. NICHOLSON. Mr. Speaker, if the gentleman will yield, why does not the gentleman from California specifically state, then, that this is for grasshoppers and not for the pest controls that we have in other sections?

Mr. PHILLIPS of California. The gentleman from California is discussing a resolution which has been printed and is before the Congress. About $1,000,000 of this money will be used, perhaps, on the infestation of grasshoppers.

Mr. Speaker, I desire to use only an additional fraction of a minute to bring to the Members of the House something which is new in these discussions. We have new infestations in the United States which are increasingly dangerous and which are not insects. I am now taking the matter up with the gentleman from Mississippi [Mr. WHITTEN], with the gentleman from North Carolina [Mr. COOLEY], and with the gentleman from New York [Mr. TABER], and the gentleman from Kansas [Mr. HOPE], and others who are interested in this, to see if we can devise a definition which covers some of the pests which are more dangerous than ever before, without opening wide the doors to unlimited and uncontrolled appropriations.

I think it should be made a matter of record today that in my belief it will not be possible to divide the money satisfactorily as it is proposed by the subcommittee reporting House Joint Resolution 327.

Mr. KERR. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

COAST GUARD

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4566) to revise, codify, and enact into law, title 14 of the United States Code, entitled "Coast Guard," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 18, line 6, under the heading "§ 186. Civilian instructors", strike out "instructions" and insert "instructors."

Page 22, under "425. Retiring boards." insert:

"SPECIAL PROVISIONS

"431. Personnel of former Life Saving Service.
"432. Personnel of former Lighthouse Service.
"433. Personnel of former Bureau of Marine Inspection and Navigation and Bureau of Customs."

Page 41, after line 4, insert:

"SPECIAL PROVISIONS"

Page 41, after line 4, insert:

"§ 431. Personnel of former Life Saving Service

"(a) If any keeper or member of a crew of a Coast Guard station shall be so disabled by reason of any wound or injury received or disease contracted in the Coast Guard in the line of duty as to unfit him for the performance of duty, such disability to be determined in such manner as shall be prescribed in the regulations of the Coast Guard, he shall be continued upon the rolls of the Coast Guard and entitled to receive his full pay during the continuance of such disability, not to exceed the period of 1 year, unless the Commandant shall recommend, upon a statement of facts, the extension of the period through a portion or the whole of another year, and said recommendation receive the approval of the Secretary of the Treasury as just and reasonable; but in no case shall said disabled keeper or member of a crew be continued upon the rolls or receive pay for a longer period than 2 years.

"(b) Any individual who served in the former Life Saving Service of the United States as a keeper or surfman, and who on account of being so disabled by reason of a wound or injury received or disease or loss of sight contracted in such service in line of duty as to unfit him for the performance of duty was continued upon the rolls of the service for an aggregate period of 1 year or more under the provisions of subsection (a) of this section, and who ceased to be a member of such service on account of such disability, which disability has been continuous up to and including April 14, 1930, shall, upon making due proof of such facts in accordance with such rules and regulations as the Secretary of the Treasury may prescribe, be awarded compensation for such injury at the rate of 100 percent of the pay he was receiving at the time of his separation from such service, such compensation to commence from April 14, 1940, and continue during his natural life. No such individual shall receive a pension, pay, or other allowance under any other law of the United States for the same period for which he receives retired pay under the provisions of this section.

"(c) No agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of subsection (b) of this section shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than $10, which sum shall be payable only on the order of the Secretary of the Treasury; and any person who shall violate any of the provisions of this subsection, or shall wrongfully withhold from the claimant the whole or any part of retired pay allowed or due such claimant under said subsection, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding 1 year, or both, in the discretion of the court."

Page 41, after line 4, insert:

"§ 432. Personnel of former Lighthouse Service

"(a) Any person of the former Lighthouse Service commissioned as an officer in the Coast Guard shall be an extra number in his grade and in the grades to which he may be promoted. He shall take precedence (1) with other officers commissioned in his grade from the former Lighthouse Service as the Secretary of the Treasury may determine, and (2) with other line officers in his grade in accordance with the respective dates of their commissions in such grade. He shall be eligible for promotion, if otherwise qualified, at such time as the officer in a regular number in line of promotion next above him on the seniority list becomes eligible for promotion; or if there be no such officer in his grade, he shall be eligible for promotion, if otherwise qualified, when a vacancy occurs in the next higher grade. An officer so commissioned shall be assigned to duty for which he is specially qualified, and professional examinations for promotion given to such officer shall embrace only subjects which pertain to the duty to which he is assigned.

"(b) Each vacancy (1) hereafter occurring in the extra numbers of such officers; (2) existing on August 5, 1939, in positions in the Lighthouse Service formerly held by personnel eligible for such commissions; and (3) created by the retirement, resignation, death, or separation from the service for any other cause, of such personnel who do not possess the qualifications prescribed by the Secretary of the Treasury, or who, being qualified, do not accept a commission thereunder, shall operate to increase by one the total authorized number of line officers of the Coast Guard.

"(c) All persons of the former Lighthouse Service commissioned, appointed, or enlisted in the Coast Guard shall be subject to all laws and regulations for the government of the Coast Guard, and nothing contained in this title shall be construed to prevent the application to any of such persons of laws and regulations concerning the military discipline of commissioned and warrant officers and enlisted men of the Coast Guard.

"(d) In computing length of service, for the purpose of retirement in the Coast Guard, of any person of the former Lighthouse Service commissioned, appointed, or enlisted in the Coast Guard, there shall be included all service computable for retirement under the provisions of section 763 of title 33; and after July 1, 1948, in computing longevity for the purpose of pay of such person there shall be included all service of such person in the Lighthouse Service.

"(e) No person so commissioned, appointed, or enlisted in the Coast Guard shall suffer any reduction in the total of the annual compensation and allowances which he was receiving on the date of his commission, appointment, or enlistment. Upon his retirement from active duty in the Coast Guard, the retired pay of any person so commissioned, appointed, or enlisted, shall not be less than an annuity computed in accordance with the provisions of section 763 of title 33, substituting, however, for purposes of such computation, the annual compensation which he was receiving on the date of his commission, appointment, or enlistment in the Coast Guard for the average annual pay received by him for the last 5 years of service.

"(f) Notwithstanding any other provision of law, the civil-service classification laws and titles II and III of the Federal Employees Pay Act of 1945 shall not apply to civilian keepers of lighthouses and to civilians employed on lightships and other vessels of the Coast Guard.

"(g) Under regulations prescribed by the Secretary of the Treasury, the Coast Guard may prescribe the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard, but such personnel may be called upon for duty in emergency circumstances or otherwise at any time or all times. The existing system governing the pay of such employees may be continued or changed except that overtime compensation, night differential, and extra pay for duty on holidays shall not be paid to such employees. In lieu thereof additional annual compensation may be authorized, which may be prescribed either as a fixed differential or as a percentage of the basic compensation otherwise applicable to such employees. In no case shall basic compensation exceed $3,750 per annum, except that nothing contained in this subsection shall operate to decrease the basic compensation of any person employed by the Coast Guard on the date of enactment of this subsection, and in no case shall additions thereto exceed 25 percent of such basic compensation. Provision may be made for compensatory absence from duty when conditions of employment result in confinement because of isolation or in long periods of continuous duty; and provisions may likewise be made for extra allowance for service outside of the continental limits of the United States.

"The additional compensation authorized herein shall be included in any computation of compensation for purposes of the Lighthouse Service Retirement Act."

Page 41, after line 4, insert:

"§ 433. Personnel of former Bureau of Marine Inspection and Navigation and Bureau of Customs

"(a) Included in the 2,250 commissioned officers authorized by section 42 of this title shall be 453 extra numbers to which the President is authorized to appoint only the personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs who on March 1, 1942, held the civil-service rating of CAF–9 or P–3, or above. In the event that any person from among the personnel eligible to fill such extra numbers does not qualify, or who, being qualified does not accept a commission, the extra numbers not so filled shall be reserved pending the separation of such persons from the Coast Guard by retirement, transfer, resignation, death, or other cause. Upon such separation, each vacancy so reserved, and each vacancy created by the unavailability for appointment of such personnel, or by the retirement, resignation, death, or other separation from the active military service of the Coast Guard of such personnel, shall increase by one the authorized number of line officers, and decrease by one the authorized number of extra numbers.

"(b) Any person commissioned from the personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs who on March 1, 1942, held civil-service rating of CAF–9 or P–3, or above, shall be an extra number in any rank to which he may be promoted. He shall be eligible for promotion, if otherwise qualified, at such time as the regular line officer who is his running mate becomes eligible for promotion, and shall be examined only with respect to those qualifications which pertain to his specialty.

"(c) No personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs who were transferred from those bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan No. 3, effective July 16, 1946, shall be required to undergo further professional, physical, or mental examinations as a prerequisite to original commissioning, appointment, or enlistment, and the physical standards for such personnel while serving in the Regular Coast Guard shall not be greater than those applicable generally to civilian employees under civil-service laws and regulations.

"(d) Any personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs transferred from those bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan No. 3, effective July 16, 1946, who enlist in the Coast Guard shall be subject to the provisions of subsections (c), and (e)–(h) of this section.

"(e) Accrued military leave of any personnel of the former Bureau of Marine Inspection and Bureau of Customs transferred from those bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan No. 3, effective July 16, 1946, who are members of the Coast Guard Reserve or the Naval Reserve on active duty, and who are commissioned, appointed, or enlisted, shall be credited to them upon such commissioning, appointment, or enlistment.

"(f) In computing length of service for purposes of retirement of personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs transferred from those bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan No. 3, effective July 16, 1946, who are commissioned, appointed, or enlisted, there shall be included, in addition to all service now or hereafter creditable by law, all service as a civilian employee of the United States within the purview of sections 691, 693, 698, 707, 709–715, 716–719, 720–725, 727–729, 730, 731, and 733 of title 5, such service to be classified as commissioned, warrant, or enlisted depending upon which status the person assumes upon his entry into the Regular Coast Guard. Service covering the same period shall not be counted more than once.

"(g) Any such person shall not be entitled to any retirement benefits under any laws relating to the retirement of civilian personnel of the Federal Government, but shall be entitled upon claim therefor to a return of the total contributions made by him to the retirement fund with interest thereon and, in addition, to eligibility for retirement benefits provided by law for members of the Regular Coast Guard, he shall, if his total service in the Federal Government, civil plus military, is 15 years or over, be entitled, upon reaching the statutory retirement age for military personnel of the Regular Coast Guard, to retirement pay amounting to 75 percent of his active-duty pay at the time of such retirement; and, in the administration of applicable laws for physical disability retirement, a disability shall be deemed to have been incurred incident to Coast Guard service if the cause of such disability is not due to vicious habits, intemperance, or misconduct.

"(h) No personnel of the former Bureau of Marine Inspection and Navigation and Bureau of Customs transferred from those bureaus to the Coast Guard by Executive Order 9083 and by Reorganization Plan No. 3, effective July 16, 1946, who are commissioned, appointed, or enlisted in the Coast Guard shall suffer any reduction in annual compensation, including allowances, below the compensation applicable to his permanent civil-service position at the time of such commissioning, appointment, or enlistment, exclusive of overtime compensation, and the civil-service status, tenure, seniority, and compensation of any such person who for any reason is not commissioned, appointed, or enlisted under the provisions of said sections shall not be impaired by reason of said sections."

Page 49, line 2, strike out all after "device," down to and including "ribbon," in line 6.

Page 49, line 2, under the heading "§ 496. Time limit on award; report concerning deed", strike out "Coast Guard commendation ribbon."

Page 49, line 2, under the heading "§ 497. Honorable subsequent service as condition to award", strike out "Coast Guard commendation ribbon."

Page 81, strike out all of section 11 and insert:

"SEC. 11. The sixth paragraph under the heading 'Miscellaneous' in the act approved March 2, 1923 (ch. 178, 42 Stat. 1385; 10 U. S. C., sec. 717; 14 U. S. C., sec. 121b; 33 U. S. C., sec. 862a; 34 U. S. C., sec. 912; 42 U. S. C., sec. 65), is amended to read as follows:

" 'Nothing contained in any existing laws, or regulations or orders promulgated in pursuance of law, shall authorize on or after July 1, 1922, the issue of heat or light in kind to any person in the Army, Navy, Marine Corps, Coast and Geodetic Survey, and Public Health Service while such person is receiving an allowance for rental of quarters under the provisions of the Pay Readjustment Act of 1942, approved June 16, 1942 (ch. 413, 56 Stat. 359; 37 U. S. C., sec. 101 et seq.), as amended.' "

Page 81, strike out all of section 12 and insert:

"SEC. 12. Section 2 of the act approved June 21, 1930 (ch. 536, 46 Stat. 793; 10 U. S. C., sec. 1028b; 14 U. S. C., sec. 167b–2; 34 U. S. C., sec. 399d), is amended to read as follows:

" 'SEC. 2. All persons who have served honorably in the Army, Navy, or Marine Corps of the United States during war shall, when not in the active military and/or naval service of the United States, be entitled to bear the official title and upon occasions of ceremony to wear the uniform of the highest grade held by them during their war service.' "

Page 81, strike out all of section 13 and insert:

"SEC. 13. The first sentence of the act approved May 25, 1933 (ch. 37, 48 Stat. 73; 10 U. S. C., sec. 486a; 14 U. S. C., sec. 15a; 34 U. S. C., sec. 1057a; 46 U. S. C., sec. 1126a), as amended, is further amended to read as follows:

" 'That the superintendents of the United States Naval Academy, the United States Military Academy, and the United States Merchant Marine Academy may, under such rules and regulations as the Secretary of the Navy, the Secretary of the Army, and the

United States Maritime Commission, respectively, may prescribe, confer the degree of bachelor of science upon all graduates of their respective academies, from and after the date of the accrediting of said academies by the Association of American Universities.'"

Pages 81 and 82, strike out all of section 14.

Page 82, line 3, strike out "15" and insert "14."

Page 82, line 28, strike out "16" and insert "15."

Page 82, line 37, strike out "17" and insert "16."

Page 83, line 3, strike out "18" and insert "17."

Page 83, line 12, strike out "19" and insert "18."

Page 83, line 31, strike out "20" and insert "19."

Page 83, line 35, strike out "21" and insert "20."

Page 84, in second table, under heading "Statutes at Large", third column, strike out "2–6, 8–10" and insert "2–10."

Page 84, in second table, under heading "Statutes at Large", fifth column, strike out "55" and insert "55–58."

Page 84, in second table, under heading "U. S. Code", second column, strike out "105, 106, 195" and insert "105, 106, 178, 195."

Page 84, strike out "[12] Only the fifth paragraph under the heading 'Life-Saving Service'." and insert:

Page 86, in its proper sequence, insert:
"1930—Apr. 14----| 148 | 1, 2 | 46 | 164, 165 | 14 | 178a, 178b."

Page 86, in first column of table, strike out "1930—."

Page 86, strike out:
"July 30------| 547 |------| 50 | 550 | 14 | 167c."

Page 86, in third column of table, strike out "1, 4, 5" and insert "----------."

Page 86, in fifth column of table, after "1216" insert ", 1217."

Page 86, in seventh column of table, strike out "10f, 20b, 20c," and insert "10f–10h, 20b, 20c, 50, 180, 181."

Page 87, in third column of table, under "6, 7 [30]", insert "8–15."

Page 87, in fifth column of table, strike out "409" and insert "409–413."

Page 87, in seventh column of table, after "6c,", insert "6e, 6f."

Page 87, in seventh column of table, after "21a", insert ", 21b, 35d, 50e, 121d, 182, 183."

Page 87, under "1947—July 23----" insert "July 30----| 393 |----------| 61 | 674 | 14 | 178a."

Page 87, under "June 22----", insert:
"June 24----| 627 |----------| 62 | 644 | 14 | 180."

Page 87, under "June 29----", insert:
"1949—June 29----| 277 |----------| 63 | ----------|----|----------."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ASSISTANCE FOR LOCAL SCHOOL AGENCIES ON FEDERAL RESERVATIONS OR IN DEFENSE AREAS

Mr. McSWEENEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 292 and ask for its immediate consideration.

[12] Only the fifth paragraph on this page, reading 'The Secretary of the Treasury may change the serial numbers of the several districts as may be necessary to conform to the provisions of this act.'"

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3829) to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. McSWEENEY. Mr. Speaker, I retain one-half hour for my own use and yield one-half hour to the gentleman from Massachusetts [Mr. HERTER].

Mr. Speaker, this resolution makes in order the consideration of the bill H. R. 3829.

As a former school teacher I am deeply interested in this legislation. It merely provides a continuation of a program we have already had in this country, that is, of augmenting the funds for schools in those sections of our country where either we have a very large amount of nationally owned land or where we have a number of school children attending the neighborhood schools from military installations or other public works.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Does this bill specify the actual localities, or it is a general appropriation?

Mr. McSWEENEY. It is a general appropriation.

Mr. KUNKEL. It will be allocated by the administrative authority?

Mr. McSWEENEY. It will be allocated to the different sections where it is actually found to be needed.

Mr KUNKEL. Last year it applied to specific localities.

Mr. McSWEENEY. I think specific locations were mentioned last year, but were not in the bill. This is a general appropriation to take care of the growing needs because of the increased size of many of our military and other installations.

Mr. KUNKEL. I have some of those in my district. I checked the report and could not find the specific reference.

Mr. McSWEENEY. No specific reference is in there. We have one in Ohio in which I am especially interested, and I know that my distinguished colleague from Ohio [Mr. BREEN] is also interested in it. It is in Dayton. Mr. BREEN has done everything possible to solve this problem and he is enthusiastically supporting this bill. At that point a number of additions to the schools are necessary because of the extra number of people who have been allocated to that great air installation in Ohio at Dayton.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. COMBS. There seems to be a little misunderstanding with reference to the question of the gentleman from Pennsylvania about specific communities being designated in the law last year. Those community situations which he speaks of were in connection with special appropriations obtained by the Army and Navy for some of their installations which were specifically named. But this type of legislation in the last Congress, just as this is, is general.

Mr. McSWEENEY. That was a different bill entirely.

Mr. COMBS. I just wanted to clear that up.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. NICHOLSON. Is any money given by this bill to the town of Bourne for the additional school population that the camp brings in there?

Mr. McSWEENEY. Yes, that is the provision. It gives to the location wherever the camp brings in a special number of children an additional amount to that locality. Under the Smith-Hughes Act, which we know is in operation, it now takes care of children in an agricultural group who are studying for agricultural purposes, but makes money available for general help and help in agriculture.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. SMITH of Wisconsin. How long is it expected that this program will continue?

Mr. McSWEENEY. I do not know how long we will have to continue it, but we do have considerable dislocation of school children because of the movement of our Army, Navy, Air Force, and so on, and by reason of the additional acquisition of lands by the Government for irrigation and other purposes which make it necessary for us to augment the local funds for school purposes.

Mr. SMITH of Wisconsin. Is not the time going to come when these communities will be able to take care of themselves?

Mr. McSWEENEY. When these people are allowed to make some contribution through some method. We have in Ohio a method by which they can pay tuition. In other States they may not have such a program.

Mr. SMITH of Wisconsin. Was there any showing at all that there is an attempt by these local communities to take care of the situation?

Mr. McSWEENEY. These communities have overtaxed themselves, I may say to the gentleman, and they have tried in every way to absorb these youngsters and take care of them and meet this situation as an emergency problem to give them an education.

I yield to the distinguished gentleman from Michigan [Mr. LESINSKI], chairman of the committee.

Mr. LESINSKI. I understand according to the testimony that in the State of Oklahoma the original school district had 126 children in its taxable unit and when the Government installations came in and the Government bought up 80 or 90 percent of that land, they brought in something like 2,600 children to this particular school district and naturally the facilities which were able to take care of 127 children could not absorb 2,600 school children, and that is why these additional funds are necessary.

Mr. McSWEENEY. I thank the distinguished chairman for the contribution.

Mr. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. KENNEDY. In reply to my colleague, the gentleman from Massachusetts [Mr. NICHOLSON] in the bill that we have before us I do not think any of the money goes to Massachusetts. There are a number of different agencies to which money is given, but referring to this bill, I do not think any money is given to Massachusetts. Is that not correct?

Mr. McCONNELL. Mr. Speaker, if the gentleman will yield, may I state that no money goes to Massachusetts.

Mr. KENNEDY. Then that is the answer to the question asked by the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. McSWEENEY. I had a very interesting interview with Charles Tarzinski, principal of the North Ridge High School in Dayton. He is a conscientious teacher trying to absorb these youngsters and trying to give to them some semblance of an education. The facilities are overtaxed and he is looking forward to this aid to make it possible for these youngsters to have better facilities so that they can get an education.

Mr. LODGE. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. LODGE. The Chance-Vought division of the United Aircraft Corp. has moved from Stratford, Conn., to Dallas, Tex., thereby throwing some 7,000 skilled workers out of work and adding seriously to the problem of unemployment in the entire Stratford-Bridgeport-Milford area. All during the time that the plant operated in Stratford the children of the workers went to schools supported exclusively by the taxpayers of Stratford. No aid at all was received under this legislation. Furthermore, having removed this plant from Stratford, the Federal Government has left not only thousands of parents unemployed but it has also left to the town of Stratford the burden of educating the children of these parents who formerly received their incomes from the now empty plant. This is truly a war casualty. This is the direct result of a Government decision. If the Government has a responsibility in Texas and in Kansas, why not in Connecticut? Under the theory here advanced the great State of Texas will receive not only the enormous benefits accruing from the presence of the Chance-Vought plant but will also receive school aid, while the towns of Stratford and Milford and the city of Bridgeport are deprived not only of the plant but of any opportunity for receiving school aid for the children of workers who have lost their jobs because of this Government decision. My question is—is any of the money authorized in this bill going to schools which will be attended by children of workers who will now be employed by the Chance-Vought division of the United Aircraft Corporation in Dallas, Tex.?

Mr. McSWEENEY. I would imagine they would come under the provisions of the bill as it applies to children of people employed in work for the Government of the United States. May I refer the gentleman to the distinguished chairman of the committee, who has heard all the testimony on this bill, the gentleman from Michigan [Mr. LESINSKI]. This will take care of the migration of employees of any aircraft, or other corporation interested in the production of materials entirely for the use of the United States Army and entirely for the Navy or entirely for the use of the Government.

Mr. LODGE. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. LODGE. Then the taxpayers of Stratford, Conn., aside from losing this great industrial facility, aside from the resulting unemployment, aside from the depressing impact on many other businesses because of the loss of purchasing power of these thousands of workers, now are going to have to contribute in taxes to the school support of the children of workers employed in Dallas, Tex., at that plant.

Mr. McSWEENEY. Did they make their school facilities of a size predicated upon the needs for this aircraft group?

Mr. LODGE. All I can say is that I understand that the State of Connecticut has at least during the past 2 years received no funds under this act, and it is not proposed that it will.

Mr. McSWEENEY. I do not know what they have done in the past with regard to it.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield to my distinguished colleague of the Rules Committee.

Mr. COLMER. I think it should be understood that this bill is a continuation of the Lanham Act funds for these distressed communities that had their population swollen tremendously as a result of the installation of these Federal installations, and that is the purpose of this legislation.

Mr. McSWEENEY. It is merely a continuation of an old policy that we have had.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield again?

Mr. McSWEENEY. I yield.

Mr. NICHOLSON. We had this bill before us last year. We had two large Army camps in Massachusetts, Camp Devens and Camp Edwards. We never got any money; that is, the towns surrounding those two Army camps, from the Federal Government. The only reason I am asking is that last year we had a roll call on it and there were very few who voted against it, as I remember it; but why should these communities take care of these two Army camps in Massachusetts, permanent camps, take care of the children in the schools in those camps, and then you offer money to some other camps and we do not get any in Massachusetts, and, as was pointed out by the gentleman from Connecticut [Mr. LODGE], they do not get it either.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. WHEELER. Was an application made by the authorities to the Federal Works Agency for aid?

Mr. NICHOLSON. No, I do not think so. If this application for aid for children connected with these camps or their parents is necessary, then I do not have any objection to it.

Mr. McSWEENEY. The application has to be made, of course.

Mr. LESINSKI. There was an application made. There is a possibility that the Army, out of certain appropriations they have, may have made a gift to that particular school district. We are going to try to make a study this fall, to bring all of these agencies within one group, with a general law, so that the Appropriations Committee can deal with it itself and we do not have to bring in this type of legislation every year.

Mr. LODGE. Mr. Speaker, will the gentleman yield further?

Mr. McSWEENEY. I yield.

Mr. LODGE. I would like to ask the gentleman whether in his opinion he thinks it is fair and equitable for the citizens of Stratford, Conn., which is a community of hard-working people of moderate means, having been deprived of this important business, which involves some 7,000 workers, now to be called upon to contribute to a school in a community like Dallas, which my friends from Texas tell me is a wealthy community?

Mr. McSWEENEY. All of those inequalities arise in a matter of this kind. I do not see how we can take care of it in this present legislation. The facilities you have for those youngsters will probably be absorbed in the needs of your growing community.

Mr. LODGE. I know I speak for my friend and colleague Congressman SADLAK, of Connecticut, when I say that the people of Bridgeport and Stratford are having a very difficult time since the removal of this plant, and this will be an additional burden on them.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. LUCAS. The gentleman from Connecticut may be concerned about Stratford, but I do not think he should penalize the citizens of Texas because the children of people in Connecticut have been moved to Texas.

Mr. LODGE. That is not exactly the fact. Only 1,500 workers have been brought to Texas from Connecticut and many of those have returned to Connecticut.

Mr. LUCAS. Just a minute. Surely the gentleman does not want to penalize the schools of Texas simply because some of the schools cannot afford to continue educating these children whether they come from Connecticut or Texas; he

would not want them to have to close up; and that is the case. These war-incurred programs have brought children into the district where there are simply not enough school facilities in the area and where the schools would have been forced to close after 6 months if they had not had assistance last year. The principal purpose of this bill is to provide education for children who would not get it if we did not provide this help.

Mr. LODGE. Mr. Chairman, will the gentleman yield further?

Mr. McSWEENEY. I yield.

Mr. LODGE. May I reply to the gentleman from Texas. First I am interested to find out from the gentleman that these particular schools in Dallas will receive aid. Second, while of course I am very fond of my good friends from Texas and have no desire to deprive the children of Texas of schooling, I would like to point out that the people in Stratford did not get any such aid, and Stratford, I may say, is not a community composed of people of large incomes.

Mr. McSWEENEY. Did they make application for it?

Mr. LODGE. That I do not know.

Mr. McSWEENEY. They would be entitled under the law to make application for it.

Mr. LODGE. They should not be punished for their self-sufficiency, for their unwillingness to ask for Government aid. I do not want to penalize the people of Dallas, but neither do I want to penalize the people of Stratford beyond the degree to which they have already been penalized by the removal of the Chance-Vought airplane factory to Dallas. I think it is penalizing them when in addition to having lost this industry they are taxed to support the children of these workers in Dallas.

Mr. McSWEENEY. Do you, in Connecticut, not find that it works out that the stronger sections take care of the weaker sections of the State in the school program? It is the same with the Nation; there will be other groups who will be taxed to support these crowded emergency areas.

Mr. LODGE. I favor that general principle, but I was not aware that the Dallas, Tex., community needed and desired financial support from the people of Bridgeport and Stratford. In this case there seems to me to be double injury, for not only has Stratford lost this industry, one of its main supports, but its people must now pay taxes to support these children in the schools of Dallas. It would appear that if the Government helps a community by placing a plant there then that community is entitled to Government aid, whereas if the Government removes a plant, then no aid is forthcoming.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield to my distinguished colleague from Michigan with whom I have served for many years.

Mr. DONDERO. I think the spirit and principle of the bill is to provide temporary aid to children in military installations in these distressed districts where the load had become so heavy that the local board of education because of the war effort had to have outside assistance. I believe there are 148 districts in the United States that are so affected, and it is simply to take care of these few districts where the difficulty and crowded condition was created by the Government itself that this relief is proposed. It is relief that should be given.

Mr. McSWEENEY. I believe as does the gentleman from Michigan, that it is a Government obligation. It is not an expenditure; it is an obligation of the Government to share the load created by conditions brought on by the war effort.

Mr. GOLDEN. Mr. Chairman, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. GOLDEN. Does this bill deal only with the war increase of school enrollment or does it deal also with increase caused by the undertaking of public works?

Mr. McSWEENEY. Public works, as well. It deals with those conditions wherever because of conditions brought about by Government programs there has been an overburdening and overtaxing of the school facilities.

Mr. GOLDEN. That is what I want to bring out. In my district a dam has been built across the Cumberland River. It is creating a lake 110 miles long and this has flooded out many schools, and it also has reduced the taxable property. I want to know if this bill would take care of such situations.

Mr. McSWEENEY. The gentleman is correct; the bill is designed to meet that kind of situation.

Mr. McCONNELL. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield.

Mr. McCONNELL. I wish to say in connection with this general discussion, that in determining the school districts to receive Federal assistance, the General Services Administration considers the amount of taxable property that has been taken away from them by Government activities of a defense nature. Then they also look to see whether the taxable property in the school district is adequate to cover the increased enrollment due to the defense activities. If they find it is inadequate they will allot only the necessary amount to make up the deficit which occurs because of insufficient local and State funds. That is the amount allotted to them. For instance, there is no assurance that Dallas, Tex., will get additional money. They may have the necessary taxable property to take care of the increase in enrollment needs. In the district represented by our distinguished colleague from Connecticut [Mr. LODGE], it may be they have had enough taxable property to take care of the increased enrollment.

Mr. McSWEENEY. May I say to the gentleman from Connecticut that he may need those added facilities as we do in every other locality and you may be released from a lot of pressure on your local school facilities.

Mr. LODGE. I believe I am right in saying, that if a plant is owned by the Navy or by any of the Government agencies it would be tax-exempt. The Chance-Vought plant in Stratford, Conn., is owned 20 percent by Chance-Vought and 80 percent by the Navy and by a multiplicity of agencies. No one has been able to determine the exact title at this point but it is still in the hands of the Government. Therefore it is largely a nontaxable item.

Mr. McSWEENEY. The gentleman's assumption is probably correct.

Mr. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield to the gentleman from Massachusetts.

Mr. KENNEDY. I think it is important to stress that some of this is needed in places where there are private plants that were set up, where no Government plant or property is involved, where a private plant came in and brought a number of people in, yet 5 years afterward we are paying money for a situation caused not by Government seizure of property but by a private plant bringing in people to work.

Mr. DONDERO. In my particular area, the Detroit area, it was the result of a great influx of people coming in to work in connection with the war effort. Now, when the war is over they remain. With them came their children and in spite of everything the school board can do for them, they have the problem of keeping a roof over the children and giving them an education.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. McSWEENEY. I yield to the gentleman from Georgia.

Mr. COX. Mr. Speaker, I would like to call the attention of the House to the presence in Washington this week of a most distinguished citizen of Japan. He is the Honorable Tetsu Katayama, the first postwar Prime Minister to be elected under his country's new constitution. He is also the chairman of the Social Democratic Party of Japan. He is the first Christian premier in Japanese history.

Mr. Katayama is accompanied by Mr. Shigeru Uyehara, Mr. Shinzo Takahashi, executive editor of Mainichi, the Tokyo newspaper, and Mr. Masaru Fujimoto, assistant foreign editor of Mainichi.

These citizens, who are on their way back to Japan from Europe, are among the 18 delegates whom General MacArthur authorized to represent Japan at the World Assembly for Moral Re-Armament at Caux-sur-Montreux, Switzerland, in June. The House will recall its action under House Resolution 232 whereby five Members of this body were appointed as a special committee under the chairmanship of our distinguished colleague, the gentleman from Georgia [Mr. PRESTON], to attend as observers this same conference.

Mr. Speaker, I believe that all of us are concerned with the ideological conflict in which the world now finds itself engaged. The United States has inevitably been thrust into a position of leadership in this conflict. On Monday, July 25, 1949, the President signed the historic North Atlantic Pact, which was ratified by the Senate last week. This treaty has thus become, under the United States Constitution, the supreme law of the land. We are now being asked to consider a far-reaching military-assistance program to implement the pact in its security objectives. In addition to

these measures, we also have before us the question of further appropriations to maintain the life-giving momentum of the Marshall plan.

It is eminently fitting, Mr. Speaker, that we should be thus engaged. But I should like again, as distinguished Members of both this body and the Senate have done before me, to underline the preeminently important phase of our domestic, and foreign policy to which we still need to give more traction, namely, the ideological sphere—the world-wide battle for the minds, wills, hearts, allegiances, and souls of the millions. There are other ideologies, Mr. Speaker, hardly democratic and hardly Christian, which are doing a far superior job than we are doing in this ideological competition. I submit, Mr. Speaker, that we neglect this part of our fight at our peril, for it underlies all else that we do. Without it all forms of material rehabilitation must fail.

It is for these reasons that the House action to send observers to the World Assembly for Moral Rearmament was a significant step. We need all the study we can absorb as to how to improve the ideological arm of our policy. I hope the House may have the benefit of a further, documented report on the observations of the Preston committee.

It is for these reasons also that the visit of these distinguished Japanese to our Nation's Capital is significant. Japan needs our help. The situation in the Far East is perhaps more serious than that in other sectors of the world. The sands are running out, and if we are not able to help Japan maintain itself as a bastion of freedom, we may find ourselves unable to withstand the tide.

I expect the other Members were impressed, as I was, by the dispatches earlier this month reporting the return of 10,000 repatriated Japanese war prisoners from the continent of Asia to their homeland. These were not the bedraggled, browbeaten prisoners one might expect. They were well fed, physically fit, disciplined, and thoroughly indoctrinated and trained fighters for a dynamic totalitarian idea. Doubtless they have their commission to conquer Japan with that idea.

When I read these reports, I asked myself, "What are we doing to match that type of planning?" I had to answer, "Not enough."

Here are a group of outstanding Japanese, in positions of influential leadership in their country, who have seen a different idea—a democratic ideology—and who are beginning to point the way to comparable training for that ideology.

Mr. Katayama and his associates have had a most cordial reception in the countries they have visited since leaving the conference in Switzerland, namely, in Germany, France, and Great Britain, where they have been received officially by cabinets and by industrial leaders representing both labor and management. They have thus increasingly become members of the fraternity of democratic nations. I feel that we in the United States should give them every warmth of encouragement in the difficult tasks which confront them on their return to their native land; and I suggest that appropriate ways and means be found, both here on Capitol Hill and in the executive departments, to show our appreciation and understanding and our help in their fight for a peace-loving and democratic Japan.

Mr. McSWEENEY. Mr. Speaker, I now yield 30 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Speaker, so far as I know, there is no objection to this rule. I think the RECORD ought to show one thing, however, and that is that the report of the committee and the bill itself do not correspond. The report of the committee, I imagine through error, indicates that this is a 2-year $10,000,000 program, which is not the fact, as I understand from members of the committee. The amendment as printed in the report so states. The bill itself makes provision only for a single year and $7,500,000.

Mr. LESINSKI. There was a technical error made. There is a supplementary report filed which corrects the amount.

Mr. HERTER. I am glad it has been corrected so there will be no confusion.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield to the gentleman from Georgia.

Mr. PACE. Does the gentleman understand the pending bill has for its primary purpose relief of a case of this kind, where the Government during the war went into an agricultural area and established a large air base. A small town grew up where the Government owns half of the property in the town, where the taxable property is insignificant, where the Government has brought in from every State of the Union expert craftsmen with their families and their children, where the taxable property would not run the school for over 3 or 4 months, yet those children are there in large numbers, thousands of them, and they must be educated. The taxable property is inadequate if it were to be entirely confiscated at 100 percent of its value. It would not be sufficient to carry on the necessary educational facilities. In an instance of that kind relief would be afforded under this legislation.

Mr. HERTER. I think the gentleman is correct. I think the Lanham Act, which originally provided funds for the years from 1941 to 1946, made provision for the very emergency that the gentleman speaks of.

Mr. PACE. This bill does, too.

Mr. HERTER. This bill continues that, although I think it has been pointed out that the original Lanham Act proposals have been stretched a little to take care of certain areas where, through sudden congestion, the moving of a large population, whether because of private industrial expansion or governmental defense plant, emergency aid is given.

Mr. PACE. But this would cover a defense establishment.

Mr. HERTER. Yes; as a matter of fact, this bill actually extends the amount of aid that is given. It is expected that some 25 or 30 new school districts will be taken in under this bill beyond those helped in the past.

Mr. PACE. The gentleman recognizes that where the Government has acquired a high percentage of property that is now nontaxable that something needs to be done about it; either that the Government make contribution in lieu of taxes, or else make a contribution toward the educational facilities.

Mr. HERTER. I agree. I think probably the better course is to make the contribution in lieu of taxes, which is a better principle of government.

Mr. Speaker, I now yield 5 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, this legislation is not new. It has been before the Congress for several years, and many of us had hoped that the time would come when it would be terminated, but it does not seem that that desired end is in sight. There are 148 school districts in the United States affected and which received assistance under a previous bill. The report shows that there are 25 or 30 more districts which may come in under the provisions of this bill. Last year we granted $6,000,000 for this purpose. Many of these school districts are in distress through no fault of their own, but because of the activity of the Federal Government. It is a problem resulting from the aftermath of war. I have in mind one school district in the Detroit, Mich., area which I think is typical of other districts in the United States: That school district is on the very edge of Detroit. It is in very close proximity to the industrial area. During the war thousands of people moved into that area because of the war effort. When the war was over, most of them remained. With those people who were engaged in the war effort came their families and their children, and this school district, in Livonia Township, Wayne County, Mich., found itself in a position where it had more children than it had taxable property to support. The school board and the people of the district have exhausted every possible legal means to provide adequate school facilities for those children. I have met with members of the board—they have come to Washington for help. Today they are not able to do it. This help that they are getting from the Federal Government is in the nature of aid in lieu of taxes to tide them over. They have even purchased or otherwise obtained from the Federal Government temporary houses or barracks—moved them together and made schoolrooms out of them. They were barracks used for troops and workers during the war. They did that in an effort to provide adequate facilities to take care of the children. Certainly, under those conditions the Federal Government owes an obligation that we cannot very well evade.

I am for this bill and hope that it will pass without any opposition. But, I also want it known that I would not like to see this kind of program become permanent legislation. It should be ended at the first possible opportunity. Perhaps the States will have to provide these school districts with additional funds or raise the bonding limits to a greater extent than they have now in order to provide sufficient money to care for them-

selves. That may be the solution in my State and other States affected. Here is a school district. The problem has baffled them; the problem is overwhelming. What would you do if you were a member of that board and you used every legal means at your command to provide facilities? You would do just what they are doing now. They have appealed to us to help them solve their problem temporarily. I hope the House will support this measure and continue it for 1 year more. As explained by the gentleman from Massachusetts [Mr. HERTER] it provides for $7,500,000 for 1 year and not $10,000,000 each year for 2 years.

That is about all I have to say about this. I feel that there is a Federal obligation here which we should meet.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. SMITH of Wisconsin. I am for this legislation, but it does seem to me that we ought to give some thought to the fact that we are expanding this program, we are not confining it. We are taking in 25 or 30 more school districts. It seems that it is much easier for these people to come to the Federal Government for the money than to go to their own State legislatures. Why is not that done?

Mr. DONDERO. I think there is great force and merit in what the gentleman says. The only way I can explain it is that undoubtedly, because of new installations of a military nature on the part of our Government, new problems have been created which we must meet. I am not a member of the committee.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Georgia.

Mr. PACE. When the Federal Government comes in and acquires property and removes it from the tax rolls of both the local authorities and the State, the Federal Government, which brought about the condition, should make the contribution, not the State authorities. It has made the State less able to contribute than it was before that was done.

Mr. DONDERO. It becomes a Federal responsibility.

Mr. PACE. That is right.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Texas.

Mr. COMBS. With reference to the inquiry about the enlargement of this program, the only enlargement that occurs under this bill is to take care, as has been pointed out, of some new situations that have been brought about by Government activities. To illustrate, there is now under construction out near Pocatello, Idaho, which is just one I happen to remember, a large installation that has something to do with atomic energy development. It is a big installation that the Government is putting in there. The Government is removing property from the tax rolls and moving in there people whose children must be taken into that little country community. That is one of the new communities coming under the act.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Speaker, fortifying what the gentleman from Michigan has said about the condition in Michigan, may I confirm that the same condition exists in some of the rural areas with which I am familiar. When the Government established great camps, or bought land for military facilities, for an artillery range for example, it often bought the very poorest land; sparsely settled. It was the kind of land we should have acquired. So the facilities that were available for the localities to provide for the schooling of an influx of children were entirely inadequate. The situation described by the gentleman from Michigan is identical with many situations with which I am familiar in the South.

This legislation is necessary, there is no question about it. I do not want to prolong the discussion but merely want to say that we have parallel situations growing out of inadequate facilities where people have strained themselves to meet the new demands. In one of these little districts with which I am familiar where the war population has remained and congested conditions have continued, the people voted a tax of 45 mills a larger part of which is for school purposes, but still even with other taxes, they cannot meet the situation. The State contributes through its equalization fund to these districts. There is no question about the States having extended themselves in an effort to meet the emergency situation. Since the condition was created by the Federal Government, it is our responsibility. I am convinced that this is meritorious legislation and the principle of the Lanham and Landis Acts should be continued.

Mr. McSWEENEY. Mr. Speaker, the same situation as has been referred to exists in Ohio. My distinguished colleague from Ohio, an earnest worker [Mr. BREHM], is working out a situation in Dayton similar to this. He is very much interested in this bill.

Mr. Speaker, I now yield such time as he may desire to my distinguished colleague from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, there really is no room for confusion about this legislation. It is just a repetition of what we have been doing both during the war and subsequent to the war in helping the communities, whose populations were swollen as the result of the Federal installations, to take care of those children. Many of us have instances such as have been related here by the gentleman from Michigan, the gentleman from Arkansas, and others. Certainly, in response to the inquiry made by the gentleman from Georgia [Mr. PACE], this legislation is aimed at taking care of just such a situation as he mentions. A number of us have been sponsoring this legislation over the period of the past 3 or 4 years including the distinguished gentleman from Texas [Mr. COMBS], as well as the author of this bill, the gentleman from Minnesota [Mr. WIER], myself, and others.

Mr. Speaker, this is a very essential piece of legislation. The question involved simply is whether or not these children are going to receive educational benefits under this program as the gentleman from Michigan pointed out a moment ago. So far as the obligation of the community or the State is concerned, there is none; this is a Federal obligation which was brought about by the Federal Government moving in there. I have a couple of illustrations of that type myself, but I shall not burden the House with them.

Mr. Speaker, I hope the legislation will be unanimously passed.

I yield back the balance of my time.

Mr. McSWEENEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, there is a great need in many townships and boroughs around the city of Pittsburgh for this legislation. The plants during the war were expanded. These people who worked in these plants are still living there, in many cases in federally placed war-housing projects. The plants now have been converted to peacetime uses and there are these large populations badly in need of adequate school facilities. In particular, in Moon Township, south of Pittsburgh, there is a desperate need for assistance to schools according to information given me by J. A. Allard, supervising principal. The Federal Government with the State and county authorities in Pittsburgh have combined to make one of the largest airports in the world just southwest of Pittsburgh in Allegheny County, which is now being used by the Army. That development has taken much taxable land from the taxing authorities. Therefore, I am supporting this legislation to help these local governments to assist them in meeting this immense burden which was not of their own making. The program of aid to such school districts has worked well and should be continued.

Mr. McSWEENEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I want to cite the situation in Alameda in my home city in California, a community with a prewar population of some 36,000 people. It now has a population of about 90,000 people. During the war period the Federal Government built ships in Alameda—lots of them. It took fee title to shipyards previously in private ownership, thus reducing the tax base of the city; it built the biggest naval air station on the west coast in Alameda. Today 54 percent of that land area of the city is owned by the Federal Government. Within the area of the naval air station there are a number of permanent homes for the staff. Their children, in these homes, use the school facilities of the city of Alameda. In addition, the Navy owns some 621 housing units occupied by personnel at the naval air station, and the city receives not 1 cent in taxes or the school district 1 cent of contribution toward its functions from these houses in which reside a substantial number of children. What I have said with reference to Alameda can be applied to the city of Richmond in Contra Costa County and the

Richmond school district. These other instances that have been cited make it imperative that this legislation be passed.

Mr. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. KENNEDY. In California, which was hardest hit by the war, they have done more in that State to solve this problem and they are asking only $30,000 under this program and all the rest will come out of their own State funds. That should be an example to all the other States.

Mr. MILLER of California. That is correct.

Mr. HERTER. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Speaker, perhaps one of the best illustrations as to the need for H. R. 3829 is the situation at north Chicago, Ill., in my district. North Chicago, Ill., adjoins the Great Lakes Naval Training Station. The Great Lakes Naval Training Station Center and the Veterans' Administration have removed 50 percent of the taxable area in Shields Township where the north Chicago school is located, while supplying 50 percent of the pupils to be educated. Because the Government still owns all that land, because of the increase of the school population, there is no possibility of the local school district taking care of the situation. It prevents an impossible financial burden. This bill is very necessary and I hope it will pass.

Mr. HERTER. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, I very much favor this legislation. As the Members of the House know, Washington is one of the three Pacific Coast States which has had a tremendous increase in population since 1940. This of necessity has thrown unequal burdens on many of our school districts and the operation of this legislation has served to help bring equity to many difficult problems incurred therewith.

Mr. HERTER. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, under this bill, H. R. 3829, to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States, the General Services Administrator is authorized to make contributions to such local school agencies for the operation and maintenance of their school facilities.

There are in my district a number of schools that fall within the purview of this legislation, which are direly in need of and are entitled to contributions from the Federal Government.

For instance, in the Sausalito School District, located in Marin County, Calif., there are three military reservations, namely, Fort Baker, Fort Barry, and Fort Cronkhite. The children from these reservations attend the public schools and the Government is not contributing in any way to the support of these schools. There is also located in this same school district, a Federal housing unit, constructed to house workers at the Marin shipyards. There are approximately 1,000 children living in this project who attend the local schools and the total amount of money which is forthcoming to the district is approximately $16 per child. This sum amounts to less than 20 percent of the actual cost in providing schooling for these children.

I trust that through the passage of this bill, it may be possible for the Government to reimburse these school districts in a more substantial manner. Without a doubt the same condition exists in many other parts of the country and I desire to express myself as being wholeheartedly in favor of this legislation. I trust it may receive the favorable vote of the Congress.

Mr. HERTER. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, in my State we have a large number of Government installations and we have met with a very serious situation in attempting to find housing and school facilities. This bill is very satisfactory to my district, and I am glad to support it. The war brought many new families and school children into our State who settled in war installations or near them. School facilities were made wholly inadequate. Many school districts did not have funds or taxing ability to provide facilities and teachers for this heavy influx of school population. Oregon has the largest increase in population since the war of any State in the Union. The Federal Government owns much of the land in many Oregon districts, thus depleting the tax rolls. Federal financial help is necessary to meet this critical situation. I will support this bill, Mr. Speaker.

Mr. HERTER. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON of Ohio. Mr. Speaker, the funds authorized in this measure—H. R. 3829—for the years 1950 and 1951 are very necessary to one of the school districts in my congressional district. During the war the Government acquired considerable land in this particular community for defense-plant operation, affecting materially the tax collections by removing the property from the tax list. Federal assistance was provided under the Lanham Act for such school districts from 1940 to 1946 as a war measure. Since 1946 we have continued this aid through special appropriations annually.

The property taken for the defense program has not been returned to taxable status so that these schools are still suffering from lack of adequate local income due to the war program. Naturally, since 1940 school enrollments have increased because of the moving of war workers and their families into the community. Most of them are still there. This is the situation that exists in the village of Brooklyn, a suburb of Cleveland, and I hope that this measure may pass so that communities so affected may continue to have the relief so necessary because of Federal war activities within their boundaries.

I urge the House to act favorably.

I ask unanimous consent to revise and extend my remarks at this point, Mr. Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HERTER. Mr. Speaker, I yield such time as he may desire to the gentleman from Kentucky [Mr. GOLDEN].

Mr. GOLDEN. Mr. Speaker, I very much favor H. R. 3829. A few moments ago I inquired of the members of this committee that brings this legislation before Congress as to whether or not it was the meaning and intent of this act to provide Federal aid to school districts where congestion and increases in school population had been brought about by the Federal Government acquiring large bodies of land for flood-control projects, public works, and national forests and where the property acquired by the Federal Government had been permanently removed from the tax rolls of the States, counties, and school districts. I was assured here on the floor of the House that this bill would cover and take care of that sort of a situation.

The Members of the House will realize that this bill, in the first section thereof, on page 2, not only provides for Federal aid to school districts where the increase in school population has been brought about by the location of defense or war plants in any locality, but beginning with line 19 on page 2, the bill further provides that where reductions in the school revenues result from the acquisition or ownership of land by the United States, then in that situation Federal aid can be granted to such districts for school purposes. Furthermore, in the concluding paragraph, number 6 of the bill, found on page 4, the act provides that the term local school agency means any public school district, county, city, town, political subdivision, public agency, or State agency operating and maintaining public school facilities.

With these plain provisions appearing in the bill and with the Republican and Democratic Members of this great committee that has brought this legislation before Congress stating that Federal aid to schools can be had by localities where additional burdens have been placed upon the school districts by the Federal Government acquiring large bodies of lands for reforestation, public works, dams, flood control, and knowing that it will take care of the situation in my congressional district in Kentucky, I shall strongly support this measure.

In the Ninth Congressional District of Kentucky the Federal Government has acquired several thousand acres of the best farm land in four or five counties for flood control, and the Federal Government is now building the Wolf Creek Dam across Cumberland River. To give Members of Congress some conception of the huge proportions of this project, knowing that most of you are familiar with Norris Dam in the Tennessee Valley, I wish to say that Norris Dam is

approximately 1,800 feet across while Wolf Creek Dam in my district of Kentucky is more than 5,000 feet across. This will create an inland body of water almost entirely in my congressional district more than 110 miles long and in many places in excess of 6 miles wide. It will cover up some of the best farm lands in Russell, Wayne, Clinton and Pulaski Counties. These lands will be removed from taxation. It has caused a great additional burden upon the school districts. Even though our people are taxed very heavily in Kentucky for school purposes, much above the average in the United States, we do not have sufficient remaining property to tax for school purposes to take care of our school children.

In addition to this, the Federal Government has acquired hundreds of thousands of acres in my district in the counties of McCreary, Whitley, Jackson, Clay, Bell, Harlan, and Rockcastle for reforestation purposes and for national parks. These lands have all been removed from State, local and school taxation.

I introduced in Congress a bill to provide that the Federal Government, when it takes land and property for public use, shall pay the tax equivalent back to the States, counties, and school districts. I think such legislation should be passed and I was called as the first witness before the great Committee on Public Lands of this Congress, and they are now considering that measure.

I find in the legislation under consideration that it is the belief of this great committee that brings forth H. R. 3829, that we are now debating, that where the Federal Government takes land and property for any purpose and thereby creates additional burdens upon schools because the tax revenues have been reduced, that it is the responsibility and the obligation of the Federal Government to replace those funds through Federal aid to the schools.

While this is a temporary measure for 1 year only, I strongly advocate that it should be made permanent. Furthermore, I think that more money than $7,500,000 should be appropriated for this worthy purpose.

Because of all of these reasons, I urge my colleagues to vote favorably on this measure and I shall do so myself. It is my opinion that it will benefit many other localities and communities throughout America as it will my own congressional district, and I again urge all of my colleagues to vote for the passage of this legislation.

Mr. McSWEENEY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. PRESTON].

Mr. PRESTON. Mr. Speaker, I fear that the sum of money set up in the bill is highly inadequate. My recollection is that under the Lanham Act there were approximately $6,000,000 available for this program. This bill adds only $1,500,000 to that amount. According to my construction of this bill, it opens the proposition to many areas that were not qualified under the provisions of the Lanham Act, and I think very properly so.

I can cite as an example a situation in the State of Georgia where the Government purchased 280,000 acres of land in one body, second only to the Louisiana Purchase in size. When this land was purchased they even took a half of a particular county—just cut it in half. That land is still owned by the Government, and they are using it for National Guard training only. It is not occupied by our Regular forces at all, but yet the Government has title to all this land. Certainly those people, where half of the county has been taken off the tax rolls, are entitled to some relief and, of course, they would come under the provisions of this bill.

I would like to ask the gentleman from Michigan, chairman of the committee, whether he contemplates that $7,500,000 will anywhere near meet the needs of the various communities that will come under the provisions of this bill?

Mr. LESINSKI. The testimony shows that it will be enough, but we will make a study of the entire situation this fall, and I have already appointed a committee. We will see if we cannot combine all of the different affected school districts into one.

The SPEAKER. The time of the gentleman from Georgia [Mr. PRESTON] has expired.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Speaker, I do not have any idea of trying to kill this bill this year, but I think we ought to make some study of this proposition. As I pointed out when I asked the gentleman from Ohio a question, Massachusetts, or the towns around these Army camps, have never received a cent. We kind of thought that it was our patriotic duty to educate the children of the soldiers or other people who may have been employed in our districts in a wartime capacity, and we did it. But when I come here, as I did 2 years ago, and again last year, and all these bills come up and I find that some States are getting all the money and the others none, I think there is something wrong with the principle.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. WHEELER. I wish to ask the gentleman whether the localities in his district have made application for relief, and also to remind him that the chairman of the committee has just advised the House that his committee intends to make a complete and thorough study of this situation this fall with a view of reporting back to the House at the end of that study something which will take care of the whole situation.

Mr. NICHOLSON. I agree that the study is an excellent thing. The only reason I wanted this time was to say that Massachusetts from 1775 to 1949 has done her share of taking care of the Federal Government to the best of her ability without asking for any handouts from the Federal Government or anybody else.

Mr. LESINSKI. The testimony shows that if a school district did not make an application naturally it would not get relief.

Mr. NICHOLSON. I do not think we did during wartime because we thought it was our duty to educate the children of the men who were in these camps fighting for us.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. WHEELER. The gentleman just referred to this as a handout. Does the gentleman feel that when the Federal Government moves into a district and take an appreciable amount of the taxable property from the tax books and then makes payment in lieu thereof that it is a handout?

Mr. NICHOLSON. Such a transaction is not a handout.

Mr. WHEELER. That is exactly what this legislation proposes to do.

Mr. NICHOLSON. I do not see that it does.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON. Mr. Speaker, as the gentleman from California [Mr. MILLER] said, we face a very acute problem in California. In my district I now have 10 military, naval, and Air Force installations and many of our school districts are overburdened with the large number of Federal employees' children from these various military installations who are and must be educated by our school districts. Some of the districts are utterly helpless in trying to handle the financial problem involved in the situation. They have not the bonding capacity, they have not the taxing capacity to take care of the educational requirements of these children. The extra load which has been thrust upon them cannot be met. I therefore hope that this bill will pass and that we may work out some permanent pattern later whereby the Federal Government will assume part of the financial responsibility of taking care of the children of military personnel in these various installations as long as they continue to have children who need education from our local California school districts. No group of public officials, in any layer of government, have done a finer job than our California school district trustees.

Mr. McSWEENEY. Has the gentleman from Massachusetts any further requests for time?

Mr. HERTER. I have no further requests for time.

Mr. McSWEENEY. Mr. Speaker, I move the previous question on the resolution.

CALL OF THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Does the gentleman insist on his point of order?

Mr. SMITH of Wisconsin. I do, Mr. Speaker.

The SPEAKER. A quorum is not present.

Mr. McSWEENEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 146]

Barden	Fogarty	Patterson
Barrett, Pa.	Ford	Perkins
Bates, Mass.	Gilmer	Pfeifer,
Bland	Goodwin	Joseph L.
Bolling	Gossett	Potter
Boykin	Green	Powell
Brehm	Gwinn	Price
Brooks	Hall,	Ramsay
Buckley, N. Y.	Leonard W.	Redden
Bulwinkle	Hardy	Reed, Ill.
Burnside	Harrison	Ribicoff
Byrne, N. Y.	Hedrick	Riehlman
Canfield	Heller	Rooney
Case, N. J.	Hoffman, Ill.	Scott, Hardie
Case, S. Dak.	Jennings	Scott,
Celler	Jensen	Hugh D., Jr.
Chatham	Kearney	Shafer
Chelf	Kilburn	Short
Clevenger	Kilday	Sikes
Cole, N. Y.	Lemke	Smathers
Corbett	Lichtenwalter	Smith, Ohio
Coudert	Lovre	Stanley
Cunningham	McGrath	Stigler
Davenport	McGregor	Taylor
Davies, N. Y.	McKinnon	Thomas, N. J.
Davis, Wis.	Macy	Thomas, Tex.
DeGraffenried	Marshall	Towe
D'Ewart	Mitchell	Vinson
Dingell	Morris	Vursell
Durham	Morton	Walter
Eaton	Murdock	Williams
Elston	Murphy	Withrow
Fallon	Murray, Tenn.	Wolcott
Fellows	O'Toole	
Fisher	Patten	

The SPEAKER. On this roll call 331 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON PUBLIC LANDS

Mr. PETERSON. Mr. Speaker, I ask unanimous consent that a subcommittee of the Committee on Public Lands may sit during the session of the House this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ASSISTANCE FOR LOCAL SCHOOL AGENCIES ON FEDERAL RESERVATIONS OR IN DEFENSE AREAS

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. LESINSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3829) to provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3829, with Mr. WORLEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan [Mr. LESINSKI] is entitled to recognition for 30 minutes and the gentleman from Pennsylvania [Mr. MCCONNELL] is entitled to recognition for 30 minutes.

Mr. LESINSKI. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, it is the purpose of H. R. 3829 to assist local-school agencies in providing educational opportunities for children living (a) on Federal reservations or other federally owned property or (b) within the boundaries of local-school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the ownership of land by the United States.

Under this bill, the General Services Administrator is authorized to make grants to such local school agencies for the operation and maintenance of their schools.

This bill would authorize the appropriation of $7,500,000 for the fiscal year ending June 30, 1950.

During the period between 1940 and June 30, 1946, Federal funds were made available by Congress under the provisions of the Lanham Act to assist in the construction and maintenance and operation of school facilities in war-congested areas where they were needed, in order that war activities would not be hindered. In 1947, Congress amended the Lanham Act and authorized assistance to these schools for the fiscal year of 1947.

Again in 1948 Congress continued, on a temporary basis, to grant this assistance.

In 1948, evidence was submitted to Congress to show that some of these schools which had been receiving funds were still in need of assistance, and that due to the renewal of activity at certain defense installations or the operation of new defense plants, a few additional schools would be in need of assistance. For this purpose, Public Law 839 was passed, authorizing an appropriation of $6,000,000 for the fiscal year of 1949.

Your committee is convinced that there is a continued need for Federal assistance in this field. One hundred and forty-eight schools received aid during the last fiscal year, and it is estimated that there will be 25 or 30 additional school districts that will be in need during the coming fiscal year because of further expansion of defense installations and other Federal Government activities.

Your committee considered that $6,000,000, the amount spent in fiscal 1949, will be necessary to take care of the same schools in fiscal 1950, and that an additional $1,500,000 will be necessary to take care of the new school districts which it is anticipated will need help. These figures together make a total authorization of $7,500,000.

Under the provisions of H. R. 3829, as amended by the committee, the General Services Administration is authorized to make contributions for the maintenance and operation of schools during the fiscal year ending June 30, 1950, to those local school agencies in providing school services for children residing on Federal reservation or other federally owned properties, or those school districts overburdened financially by defense-incurred school enrollments or by reductions in school revenues resulting from the acquisition or ownership of land by the United States. The bill further provides that the amount of Federal assistance for the school year to any school district be limited to the amount of the actual deficit in the school agency's maintenance and operation budget during the year. Your committee believes that these provisions are sufficient safeguards to assure that this Federal assistance will be made available only to those school districts where activities of the Federal Government have caused such a serious financial burden that they cannot finance normal school programs with their own resources. The Federal assistance is necessary in order that the children living in these communities can have the benefits of a normal school program.

The committee has considered the various bills proposed to provide a permanent method of meeting the needs in those areas where the Federal Government has caused the problem. The committee feels that the objectives of such bills are sound, but that there is not sufficient information now available on which to base legislation that would establish a permanent method of meeting this need. A subcommittee has been appointed to study this problem at first hand, and to make specific recommendations to the full committee at the next session of Congress for a permanent program.

This bill passed the committee by a vote of 24 to 1. I feel it is a meritorious one and I hope the bill will pass unanimously.

Mr. Chairman, I now yield 5 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I do not know as I can add much to the many comments that were made by about 20 Representatives here when the rule was being considered. From the observation of members of the Labor Committee, the situation is quite alike all around the country. There were about 15 bills introduced from various parts of the country dealing with this subject. A number of Members of the House appeared before the Committee on Labor and supported this legislation.

Mr. Chairman, I introduced a bill early in the session due to a very critical situation which existed just outside of Minneapolis and St. Paul, created in the early days of the war by the Government coming into consolidated school district No. 23 in Minnesota and taking out of that school district about five square miles of property. In my case, consolidated school district No. 23, which is about 12 to 15 miles outside of Minneapolis and St. Paul, found itself confronted in the early days of the war with the Federal Government coming in there and creating, erecting, and taking over property to the extent of about five square miles. At one time during the war that plant employed about 12,000 war workers. In addition to that, north of the plant just referred to, and up on the Mississippi River about 10 miles away, the Government came in and constructed a Navy installation known as the Northern Pump Co., employing about 5,000 people. Again they took out a hunk of about four square miles of taxable property, leaving the school district in a very critical financial condition.

Someone has mentioned here about these communities or the States taking care of the districts within the State or within the counties themselves. Someone has mentioned the millage proposition. Let me show you what this school district did in trying to meet the problem. They had a schoolhouse in that district that took care of about 40 to 50 pupils. Today there are close to 500 children seeking educational facilities from the school.

I have before me a report from the Federal Works Administration under Mr. Fleming at that time. This school district No. 23 has attempted to solve its own problem without Federal assistance, going beyond the average assessment of taxes. The tax levy in 1943 and 1944 was 47.6 mills, but that has increased to 180 mills in 1947 and 1948. Even considering the fact that there is a very low assessed valuation in this district, that is a real high tax levy. So no one here in Congress can point the finger to this school district in not doing its duty, and I do not think they can point the finger at a great many more school districts in our Nation and say they have not gone the limit in trying to provide for their own means of education.

In the final analysis let me say to you that those people were in hopes that they would not have this problem for some time. But in my case the Federal Government is maintaining the Twin Cities ordnance plant as a rehabilitation plant for transport facilities, so they have a large force employed there. The Northern Pump Co. is being maintained by the Navy as a storage depot.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McCONNELL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of this bill, H. R. 3829, which is to provide assistance to school districts in areas that have been congested due to defense activities. Now, let us see if we can cover the past history on this quickly.

Mr. Chairman, early in 1940, when this country had begun to gird for war, large segments of our population began to shift to certain areas where war workers were needed in the defense effort. Since available production facilities were not sufficient to meet the demands of national defense, new factories had to be built. Often these were in sparsely populated areas where there were not sufficient housing facilities to take care of the workers. To cope with this situation, the Government built temporary houses. The children of the workers living in these houses attended the existing schools in the area—which, of course, imposed an additional expense on the school district. Since the Federal Government owned the houses in which the new students lived, the school districts could not meet the added expense by the usual method of taxing the parents' property. It was obvious that the Federal Government had at least a moral obligation to help the school districts meet their new problem.

In the fall of 1940 Federal funds were given to these school districts under the Lanham Act. Since the primary purpose of the Lanham Act was to aid in the prosecution of the war, assistance to community facilities except schools under it was discontinued June 30, 1946. However, as most of us are unpleasantly aware, the war had not ended in 1946—the shooting had merely stopped. The cold war was blowing hot in some places—and defense activities continued. The problem of the schools in defense areas also continued.

In 1946, Congress provided $7,000,000 to assist the schools until June 30, 1947. When that bill was passed we were told that the Government would dispose of the temporary houses—and that the occupants would move to taxable property. This, of course, would have made it possible for the school districts involved to meet the added expense of the increased number of students. Because of the housing shortage—the Government did not remove the temporary shelters. Another $5,000,000 was authorized to assist the schools through June 30, 1948—but only $4,500,000 was appropriated. But in 1948—the cold war still continued—so did defense activities—and so did the school-enrollment problem in defense areas. Another $6,000,000 was authorized to carry the program through June 30 of this year. This bill would authorize $7,500,000 in aid to the schools during the present fiscal year ending June 30, 1950.

The amount of Federal funds needed varies from year to year—depending upon the number of school districts in which population has increased because of defense projects. During the peak of the war, 400 school districts received Federal funds—last year only 147 school districts needed the money. Next year, the General Services Administration estimates that approximately 175 school districts will need help from the Federal Government. The increase is due to further expansion of defense installations in 25 to 30 school districts during the past year.

This bill does not provide a hand-out to a favored few school districts. In determining what districts will receive Federal funds, the General Services Administration first looks to see what school districts are losing tax money because of the large amount of land and buildings the Government owns in the district. Second, it is ascertained whether there is enough taxable property in the school district to meet its financial needs. If it is decided that the school district actually needs the money—and that there is a moral duty on the Government to make up some of the deficit—then the school district may be eligible for funds.

As a matter of fact, most of the communities which would receive funds under this bill have levied taxes to the limit set by law. State funds have been increased substantially to help the local school districts meet their needs without Federal assistance—but still many schools have not sufficient money to operate more than 5 or 6 months a year. In view of these circumstances, I believe this bill should be passed.

Mr. BURDICK. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from North Dakota.

Mr. BURDICK. Would the provision of the present law cover a situation like we have in North Dakota where, in a congested Indian reservation, the Indian Department has gone out into the various counties and bought up Indian lands which were untaxed, and depleted the resources of the county?

Mr. McCONNELL. This bill would not cover that.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. HOFFMAN of Michigan. A somewhat similar situation exists with reference to temporary housing in the Fourth Michigan Congressional District. My question is, What if any move is being made to take care permanently of this school situation? Are we to have these people in the same localities permanently and their children educated at Federal expense? It is like the surplus property situation. We have not been able to get rid of surplus properties. Will there ever be an end to this program?

Mr. McCONNELL. If the gentleman will notice, we have limited this bill from 2 years to 1 year, and put a $7,500,000 figure in the bill. Our thought is this: The present bill is purely a temporary extension measure. The chairman has already stated that the subcommittee which he has appointed will conduct a study of this entire program, which we hope will lead to legislation of a permanent nature in order to take care of this problem. As long as the defense activities of this country continue and as long as large areas of a school district are not available for taxable purposes for the school district, I believe aid will have to be continued in some form.

Mr. HOFFMAN of Michigan. That is a move in the right direction and I congratulate the gentleman. This morning we heard some discussion about the continuation of the war. Now, if we continue to be at war, technically, that prevents our adjournment, I understand, and is this provision for the schools to run on indefinitely?

Mr. McCONNELL. I would say as long as we are committed to a high degree of defense activity in America due to world conditions we will need some type of assistance to school districts where the defense activities deprive them of the necessary revenue to handle increased enrollment.

Mr. HOFFMAN of Michigan. If Michigan's distinguished representatives in the other body are correct in their attitude toward foreign relations, this is not temporary at all, this will be permanent.

Mr. McCONNELL. It is likely to be permanent into the immediately foreseeable future. I would not want to guess at some indefinite time.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from California.

Mr. JOHNSON. As I understand it, this covers a situation such as I am thinking about that is repeated many times in my district, where no land was taken for defense purposes out of the area of the school district but, because of defense installations near there, the children of the servicemen and civilian

employees in the defense establishments poured into that district, beyond the power of the little local district to raise enough taxes to take care of them. Is that correct?

Mr. McCONNELL. That is right.

Mr. JOHNSON. I wish to compliment the distinguished gentleman from Pennsylvania and the chairman and the rest of the members of the committee on bringing this bill out. We have a very acute and serious problem in my State along this line.

Mr. McCONNELL. I think it is only fair to point out again that most of the communities surveyed which we found were eligible for help were taxing themselves to the very limit of the law. Also, they were receiving substantial aid in many cases from the States in which they were located. However, in spite of that, there were many school districts which, if they did not receive this Federal aid, would not be able to operate for longer than 5 or 6 months of the school year.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from New York.

Mr. KEATING. Knowing the way the gentleman thinks about problems of government, I feel sure he is as concerned as I am with the fact that this amount is, for the next year, $7,500,000 as against $6,000,000 the year before. In other words, is it going to increase in the future? Is that what we can expect?

Mr. McCONNELL. That is a difficult question to answer, because it would depend on the international situation. We have stepped up our defense efforts during the past year. The additional districts provided for are due to increased defense activities.

Mr. KEATING. They have actually added districts to which help is being given next year as compared to last year.

Mr. McCONNELL. That is correct. About 25 to 30 districts have been added over those that were in last year ending June 30, 1949.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. LODGE. I would like to ask my good friend, the gentleman from Pennsylvania, whether or not it is a fact that the State of Connecticut has at no time received any aid under this act and that it is not anticipated that the State of Connecticut will receive any under the present legislation?

Mr. McCONNELL. I am not sure about that. Connecticut did not receive any aid during the past 2 years, but I do not know whether the State received any aid under the Lanham Act during the years 1940–46. If anyone knows the answer to that, I wish he would volunteer to give us that information. I do not know. But I do know that during the past 2 years Connecticut did not receive any aid. The States of Rhode Island and Maine are the only two States in New England during the past 2 years that received any aid under this type of legislation.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. KELLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, I was opposed to this bill in committee in the first place because each year from 1947 on we have been promised that this program would come to an end. But it again came up in 1949, and was rushed through. And, since the 1949 bill was rushed through in a very short time, I was opposed to that. The second reason for my opposition was because of the language on page 2 of this bill, paragraph (b) in line 17, it reads, "within the boundaries of local school districts overburdened financially by defense-incurred school enrollments."

That applied to places where there was a private defense plant in school districts where there was no federally owned housing or Government property. I felt that 5 years after the war in an area where there was a private plant with no federally owned property, it was high time that the school district or the State take over the burden of supporting this project. If we are going to support States merely because they have an increase in population in some area of the State we can be doing that for the rest of our lives. I contacted the administrator of the General Services Administration and asked him what would happen to the program if we struck out this language. He replied in the following manner:

> May I state that I am in accord with your objective in this matter; however, changes in the language of the proposed authorizing legislation may go further than I believe is your intention. Certain school districts immediately adjacent to military or atomic energy installations may not be eligible under the changes proposed.
>
> In the administration of these programs since the termination of the war the number of cases to which you refer have gradually decreased, until at the present time, for the Government fiscal year 1949, there are only five school districts which might fall in the category to which you refer. I feel that with the presently proposed authorization wording we will be able to accomplish the objective. In all probability the present five cases will be further reduced or perhaps entirely eliminated during the Government fiscal year 1950.
>
> The amount of appropriated funds allocated to the five cases referred to above was approximately $180,000 for the school year 1948–49.

For this reason I will withdraw my objection, and I will not propose an amendment to strike out those two lines.

I do think it is important for the Committee on Education and Labor to investigate this whole field carefully. We now have almost 12 agencies that are giving money along these lines. No one knows how much is given or what duplication is taking place. So I think it is important for the subcommittee to investigate this field carefully and bring out a full report at the beginning of next year.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. KENNEDY] has expired.

Mr. McCONNELL. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, when I became a member of the Committee on Education and Labor I fully intended to join my colleague, Mr. Ellsworth Buck, and oppose this legislation for schools of this type throughout the United States. Having been an educator, I felt that the communities where these installations were involved could well readjust their programs to take care of the increased load.

I have personally conducted a very careful study and I, too, have now become educated to the fact that it is of necessity that the Federal Government has an obligation in these particular instances.

One reason why I was opposed to this legislation was because I felt the program might be controlled by the Federal Government. Having been a great advocate against Federal control of education in any phase of the program, I am now convinced that there is no Federal control in any instance or in any of our communities where this money is being allocated. The members of the committee should be fully aware of the fact that the United States Office of Education does not go out and seek the community where this money is to be given. No money can be granted out of the Federal Treasury unless the program of that particular community has first the approval of the superintendent of public instruction of the State within which that community is located. We have had 21 schools this past year that were eligible for these funds which have not applied. Those schools would not be eligible until they made proper application to their own State authorities.

Further, I think the Committee on Education and Labor will find, when they investigate this whole program, that the problem which this Congress faces in the future will be to build proper school rooms to house the children of these workers on a Federal project in order that they may have suitable and adequate places for their education.

Mrs. HARDEN. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. Yes, I yield to the gentlewoman from Indiana.

Mrs. HARDEN. In my district there are 32 children whose parents are living on the Federal penitentiary agency. Those people have been told that they cannot attend the public schools in that township unless the parents pay tuition for them, or they are reimbursed by the Government. Will this bill include those children?

Mr. KEARNS. I would answer the lady by saying that if they make proper application through the great State of Indiana, then the United States Commissioner's office will send their man out to fully study the problem, and if it warrants it they will receive the money. Yes.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. KEATING. This is not intended in any way to be critical of helping a district such as the one just referred to by the gentlewoman from Indiana. My understanding of the Federal-aid bill here has been that it was intended to

help those conditions where a war situation had created a case where the school district could not take care of the children; and I just wonder, as a general proposition, whether it is intended to go beyond the war-incurred situation. I am afraid it is. That is one of the reasons why I hesitate in supporting the bill, because I fear it is a further extension of Federal aid in new areas.

Mr. KEARNS. I would answer the gentleman from New York by saying that in many places they have not the taxable dollars for the support of their schools, even then they have not applied for this money, though a distressed area. I have noted that it is the little crossroads places, the small communities where the taxable dollar is not to be found for school purposes, that is the type of community that needs this relief rather than the metropolitan centers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McCONNELL. Mr. Chairman, I yield the gentleman from Pennsylvania three additional minutes.

Mr. KEARNS. At the minority table here I have pictures taken out at Midwest City, Okla. I wish some of the Members opposed to this bill would take enough time to look at some of those pictures depicting the undesirable conditions of the schools of that small, but I think admirable, community out in the great State of Oklahoma.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. HOFFMAN of Michigan. Did the gentleman make any investigation to see whether the State of Oklahoma could take care of that situation?

Mr. KEARNS. I notice the gentleman from Oklahoma [Mr. MONRONEY] on his feet. I am sure he can answer the gentleman and I yield to him for that purpose.

Mr. MONRONEY. I know from my own knowledge that this little city of Midwest is completely up to the limit of its taxable rate. It has raised its valuation about three times, to the point where it is practically the highest evaluated assessed valuation area in the State of Oklahoma, and that it has bonded itself to the limit authorized and where it has drawn from the State treasury for weak-school aid all the aid that is allowable under our law, yet they need further aid in educating these thousand school children that are there because of activities of the Federal Government.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. HOFFMAN of Michigan. That is all very well, but that is not an answer to my question. Cannot the great State of Oklahoma—and it has great wealth from oil—cannot the great State of Oklahoma take care of this situation?

Mr. MONRONEY. I am trying to say that the State of Oklahoma has helped. The State of Oklahoma has appropriated in the neighborhood of $20,000,000 for aid to weak schools, and this school district has had all the aid from this fund that is allowable under our law.

Mr. HOFFMAN of Michigan. These poor, weak people down there in Oklahoma. I thought everybody in Oklahoma was wealthy.

Mr. MONRONEY. We have some very, very poor land in the State of Oklahoma, a great deal of it, also some very wealthy oil land, but not all of Oklahoma is underlaid with oil.

Mr. HOFFMAN of Michigan. I thought everybody in Oklahoma was wealthy.

Mr. MONRONEY. The gentleman from Michigan is absolutely correct, that the State should do all it can, but in this instance the State has, and still it is not enough.

Mr. HOFFMAN of Michigan. We have the same overcrowded condition in Michigan. I do not need to remind the gentleman that war industries moved into the Fourth District of Michigan with foundries and defense industries. But now these people who worked in the foundries and had these wartime jobs are out and are living on the land of the local taxpayers. These men are out of jobs so they cannot send the children to school.

Mr. KEARNS. Mr. Chairman, I cannot yield further. It is true that we have many places in the United States of America where we have these overcrowded conditions caused entirely by governmental activities. The Federal Government certainly owes a duty to aid in these instances.

Mr. HOFFMAN of Michigan. But there are many other instances in which the States themselves should make a greater effort to take care of their own overcrowded condition.

Mr. LESINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Chairman, I think I can bring this proposition down to where we may clearly understand the situation. Let us assume a school district comprising 5,000 acres of taxable land and the Federal Government comes in and buys up 4,000 acres of that land, then places on the 4,000 acres two or three hundred families with children. Is it fair for that school district, which originally comprised 5,000 acres of taxable land, to educate the children living on the Federal property which pays no taxes? That is the question. This is a direct consequence of the war.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Connecticut.

Mr. LODGE. May I point out that in Stratford, Conn., where the Chance-Vought plant was located, the plant was tax exempt, yet the taxpayers of Stratford paid for the schooling of the children of the workers. How does the gentleman reconcile that with the statement he has just made?

Mr. LUCAS. I think it is commendable that the citizens of Stratford educated the children of the workers of that plant, and I commend the gentleman for being concerned about the matter. I do not think the gentleman should criticize Texas, however, because some of his people moved from Connecticut to another State.

Mr. LODGE. I do not see why the people of Stratford, after having been deprived of those facilities, should have to pay for the schooling of children in Texas, when the city of Dallas is a far wealthier community than Stratford.

Mr. LUCAS. I am placed in a rather anomalous position in defending Dallas because I am not from Dallas; however, I am familiar with the situation. In answer to the gentleman from Connecticut, the question is simply this, whether or not those children will receive an education. This Chance Vought plant is located at Grand Prairie, Tex., outside of Dallas. The superintendent of schools down there has told me that had not the Federal Government participated in the program last year, even before the Chance Vought plant went in there, their schools would have been open only 6 months this last school year.

Mr. LODGE. I understand the children of the workers of the Chance-Vought plant in Dallas will go to schools which will receive aid under this legislation?

Mr. LUCAS. I cannot answer the gentleman's question. I think it is possible they will go to a school which will receive assistance under this program. They must go to school somewhere, whether it is in Stratford, Dallas, or Grand Prairie. Someone has to provide for their education. It is not the fault of the people of Grand Prairie that these children have been brought in there. Some taxpayers have to pay the cost of the education.

Mr. LODGE. I agree with the gentleman. I want the children to go to school just as much as the gentleman does, and I have the highest regard for the people of Texas, but does the gentleman think the people of Stratford and Bridgeport should have to pay for the education of these children?

Mr. LUCAS. It is all a part of our war effort. We all want to do everything that is possible to protect our country. If they choose to put up a war plant in one county rather than in another, the people of the other county should be glad that the Government will do all it can to protect our country. I do not in this instance, of course, question the wisdom of the authorities in moving this industry to Texas.

Mr. LODGE. I know what the people of Texas have done to protect America, but I want to assure the people of Texas that I do not want our people in Stratford to be penalized additionally by the removal of this plant.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Michigan.

Mr. LESINSKI. I suppose the misunderstanding between the gentleman from Texas and the gentleman from Connecticut arises from the size of any given school district and the amount of taxable property in any particular school district. This has nothing to do with the school district. Eighty percent of the land of a school district may be taken away. That school district must account for its own district. It has nothing to do with another school district.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. I am sure that if the city of Dallas finds it has enough taxes for school purposes it will probably not apply for this money, even though there are children there from Connecticut being educated.

Mr. LUCAS. I think that would be the case everywhere. If the school district can provide for itself, and for its own children, it will not apply for these school funds.

This is a Federal responsibility, gentlemen, and we must face it. The local school districts should not be expected to provide educational facilities, school teachers' salaries, and the other costs of operating a school for the children of the workers at a war plant, when that plant pays no taxes, without assistance from the Federal Government which in the first place created the condition. There are two such distressed school districts in my home county, and I say to you that unless the Federal Government affords us such assistance as is provided in this bill, then there will be hundreds of children who will not receive even a minimum of training during the next school year. We must pass this bill.

Mr. McCONNELL. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES. Mr. Chairman, I am not sure how this proposed legislation will affect other communities. I am going to explain rather briefly how it applies to two projects in my congressional district. One is a comparatively large school district of Planeview approximately 12 miles outside Wichita, Kans. The other project is the Beechwood district 7 miles from the city limits of Wichita. Both of these installations were built by the Government in order to provide housing for workers in war plants. The Boeing Airplane Co., as you know turned out the famous B–29 planes, as well as other planes. Beechcraft and Cessna likewise built hundreds of planes under war contracts. Thousands of persons were engaged in war work and were housed in temporary housing built by the Government. Schools were provided and shopping centers were provided by the Government.

Most of the housing is still there. I think there were about 18,000 people in Planeview during the war period. Incidently Boeing has reopened and employs about 10,000 workers engaged again in building war planes. Many of the workers live in Planeview.

There are approximately 3,000 students enrolled in Planeview schools. It takes $490,000 to operate these schools. Beechwood is smaller. The enrollment is a little more than 200 in the grades. As I understand the situation high school is not maintained at Beechwood. It takes about $39,000 to run Beechwood schools. Planeview is asking for about $180,000 of the total of $490,000 to run the schools for a year. Beechwood will need approximately $14,000 of the $39,000 I have mentioned.

Mr. Chairman, the Federal Government is presently collecting rents from this temporary housing at Planeview, consisting of 2,980 units, the sum of about a million dollars a month, or $12,000,000 a year. So, all we are asking is that the Government turn back 15 percent of the rents collected from a housing project, owned and operated by the Government.

It should be clear that since the Government owns the housing, that is rather cheaply, there is little tax that can be collected locally. There is some income from the township and the county and there is a substantial contribution from the State of Kansas. It is possible the State should do more but we are collecting from the State all that can be collected under the law.

Mr. Chairman, we are not asking for so-called hand-outs. All we ask is that the Government turn back part of the rent collected to supplement the taxes paid by the people in local communities. This is one of the problems you are going to face in the Government housing business. So, so far as my area is concerned I see no reason why, under the circumstances, we are not entitled to a return of a part of these rents to help take care of a deficit that must be paid. Some mention was made as to the people who live in these housing units. I am informed 65 percent of the residents are veterans and their families.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. REES. I will be glad to yield to the distinguished gentleman from Michigan.

Mr. DONDERO. I am in sympathy with what the gentleman says. My State of Michigan paid in about $2,500,000,000 in income taxes last year. Give us back just 10 percent of that, and we will not be here asking for any money under a bill like this. I think the gentleman's State would be in exactly the same position.

Mr. REES. I appreciate the gentleman's observation. Of course, we do not have the large automobile factories in our State. Nevertheless, I think we do pay our fair share of the income taxes.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Michigan who always gives the problems of government a lot of study and consideration.

Mr. HOFFMAN of Michigan. We do not have the billions of bushels of high-priced wheat, either.

Mr. REES. I regret that your great State does not produce wheat and other foods in abundance.

Mr. HOFFMAN of Michigan. I am glad you have it.

Mr. REES. We are glad we can share our food crops with people of other States. We buy your cars and sell you our wheat, corn, and other food. We are glad to help feed the people of Michigan and other areas.

Mr. LESINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. COMBS].

Mr. COMBS. Mr. Chairman, I shall not take the full 5 minutes, and will be glad to yield to any Members who have not been able to obtain time to speak on this bill.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Arizona.

Mr. MURDOCK. I am in full support of this bill. I have in my congressional district several such school districts as have been described here.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from Texas [Mr. COMBS].

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Louisiana.

Mr. BROOKS. I wish to thank the gentleman for his courteous attitude in being willing to yield, since I have not been able to get any time on this matter. Let me say this, however. The way the matter impresses me is that there is not a fair policy of distribution of these funds in many cases. For instance, I know in my area we have a heavy burden of war-incurred responsibility, yet our fiscal set-up is such that we are not able to participate in the program. Other areas I know of pay much less school taxes and are able to participate in the program and reap the benefits from it. Our area, because of our tax set-up, with a heavy burden of taxes, does not participate in the program. I think some new criteria might be worked out which would result in a more equitable distribution.

Mr. COMBS. I thank the gentleman from Louisiana. In view of his remarks, I think a brief explanation of the plan of distribution provided in the pending bill will be of some help. I think there is some misunderstanding about it.

The communities eligible are these, and I want the gentleman from Connecticut [Mr. LODGE] to listen to this also. In view of his remarks earlier in the debate, I think he, too, has misunderstood the proposition, and why his community probably did not get the aid.

I quote from the bill:

> That in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States—

Those are the communities that are eligible under this bill.

Let me say this to the gentleman from Connecticut: If the war plant he referred to that moved down to Texas was located in his city or near it, and if it was a Government war activity, as I assume it was at that time, and if his community was overburdened with increased school enrollment by reason of that, then all it had to do was make application for aid under the prior act, as under this act, and make that showing, and it would have received aid.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Connecticut.

Mr. LODGE. I am delighted to get this information from my good friend from Texas. Early this afternoon the gentleman from Ohio [Mr. McSWEENEY] said they would have been entitled to make application. I do not believe any community in the United States ought to be penalized because of its failure to make an application in this connection. I think it should be encouraged to be self-sufficient, and not be discouraged by being penalized because they do not want to ask for Government aid. That indicates a splendid civic spirit on the part of the people of Bridgeport and Stratford, that they did not make application.

Mr. COMBS. It is a fine spirit, but I do not see where the penalizing comes in.

Mr. LODGE. The penalizing comes in because they are now going to be called upon to pay taxes for the education of these children in communities that are now better off than they are.

Mr. COMBS. I want to make an explanation here that I think will be of interest. I do not know the situation at Dallas since the war plant to which the gentleman from Connecticut referred moved down there. Dallas is way north of where I live. But here is the thing that is not understood by some of the Members. When a plant such as this moves down to Dallas, say, actually it goes out in the country, entirely outside of Dallas, and builds its plant out in a little local school district. In every State a large part of the burden of public schools is borne by the local school community.

Take Texas for example. My State appropriates $55 for each school child in the State uniformly over the State. The average annual cost for public school operation for each child in Texas is $132. The difference between the $132 average cost for school maintenance and the $55 put up by the State falls entirely on the local community. Now, if this great Government installation goes into a small town or a little school district having only two or three hundred children, with only modest sources of revenue, and places several hundred children there that have to be educated, one of two things must happen. Either the local community must refuse to receive them into the schools or the school district must have aid from somewhere to keep the schools going for a full term of 9 months. I would like to use the town of Orange, Tex., as an example. There are about 2,500 children living in this Government housing. There is a great naval base there, a temporary naval storage basin. What happens is this: First, the State of Texas puts up $55 for every school child in Orange, including, of course, those living in Government housing. The city of Orange doubled its school valuations and levies a heavy burden of local school taxes, and this is added to the amount received from the State, and only the amount required to provide that the average amount of $132 per pupil is made up out of the Federal appropriations. So I think this is a fair method of distribution. The State and local people do share a large part of the burden of educating the children of these temporary residents. This bill provides no Federal hand-out. It merely recognizes the added burden placed on the local school districts by a Federal Government activity, and shares the expense accordingly.

Mr. MURDOCK. Mr. Chairman, I want to urge passage of this bill, H. R. 3829. Many school districts in my own State, as well as elsewhere, have found themselves in difficult financial condition because of war-swollen population. It is true that the war is over, but in many cases those families that came to my State of Arizona have remained, and therefore those schools are still in need of assistance in coping with this increased enrollment, especially in such cases where their present indebtedness has reached the limit allowed by law.

I have recently received statements from Superintendent Liem, of the Washington School District at Phoenix, and J. B. Sutton, superintendent of the Isaac School District, also in Phoenix, urging that I support this bill, and I know that the Amphitheater and the Sunnyside School Districts in Tucson are also concerned.

As a former school man myself, I have long been aware of the importance of adequate provision for the education of our young people, and I have in previous years supported legislation to grant relief to war-swollen school districts. I am glad to speak once again in behalf of such legislation as we are now considering.

Mr. McCONNELL. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Chairman, I am in favor of this legislation and trust that the House will act favorably upon it. There is one point which was not made very clear in the discussion on the bill, and that is with reference to section 2, in which provision is made for a school district which may be affected by war-incurred population and might qualify in other respects, but nonetheless could not receive funds unless it had an actual or anticipated deficit. In determining the deficit the Administrator must also take into consideration the total revenues actually available to the district.

Mr. Chairman, as has been indicated by previous speakers, this bill would extend for another year the principles involved in the Old Lanham Act and the more recent Landis Act. Federal financial assistance would be made available to certain school districts whose enrollments have been increased by Federal defense activities and whose financial condition has thereby been overburdened to the point where deficits or anticipated deficits exist.

In many instances the Federal Government has acquired property within the school districts to such an extent that a great amount of taxable property has been removed from the local tax rolls. Revenues for school districts have thereby been decreased, while the expenses have increased because of increased enrollments. The Federal Government, therefore, has an obligation to those districts to supplement the revenues thereof. The Government can do this by making payments in lieu of taxes or appropriating funds pursuant to this legislation. Now, it is true that in many instances payments are already made in lieu of taxes, but an examination of these payments as presently made will indicate that they are not sufficient to offset the increased expenditures made necessary by the swollen defense-incurred population. This legislation makes possible the equalizing of this discrepancy.

Not all school districts with war-incurred or defense-incurred school enrollments can qualify. There must exist an overburdened financial condition to the extent of a deficit or anticipated deficit. Furthermore, in determining such deficit the Administrator must take into consideration the total income of the local district actually available to it. In other words, the district must, to all practical extent, exhaust local finance resources.

There are eight such districts in my congressional area who urgently need this assistance. As I have stated, this is a Federal obligation, and the bill should be passed.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. KEATING. We keep on hearing about defense establishments as the basis for all of this legislation. But, as I read it—and I could be in error—it does not apply solely to defense-created areas, but to any area where there is property or land owned by the United States which brings about this situation. Am I not right in that understanding?

Mr. TOLLEFSON. That is my understanding of it, but, as the gentleman from Massachusetts [Mr. KENNEDY] mentioned a moment ago, there are only five districts affected which do not have defense activities, and their participation has, according to FWA, been in the process of being reduced.

Mr. KEATING. In other words, there are only five now receiving aid which do not come in the defense category?

Mr. TOLLEFSON. That is my understanding.

Mr. KEATING. But it could be extended beyond that under this wording, could it not?

Mr. TOLLEFSON. Under this wording it could be, but within the provisions of section 2 of the bill.

Mr. KEATING. Therefore, in that respect it is an extension of the previous law which was limited only to defense areas; is that not right?

Mr. TOLLEFSON. That is correct, except that as a matter of practice those districts are, as I mentioned, being gradually reduced in their participation.

Mr. KEATING. In this law for the first time, however, it is possible to give aid to those districts. In other words, it appears to be an extension. I am glad to be corrected if I am in error.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield so that I may answer that?

Mr. TOLLEFSON. I yield.

Mr. LESINSKI. That is why I brought out the matter of the State of Oklahoma, where, in one of the school districts, the Government bought 90 percent of the land. There was only a small

township left with 126 school children. Then, when the Government took this land, it brought in 2,500 children who had to go to this particular school. This is Government-owned land and the school cannot afford to keep these children unless this aid is given.

Mr. KEATING. If the gentleman will yield further, so that I may put another question to the gentleman from Michigan, I appreciate, of course, a particular situation which may exist in the district of a gentleman from Oklahoma or any other district, but my point is that this law as now written is an extension of Federal aid beyond previous legislation.

Mr. LESINSKI. No; I am sorry, it is not. It is not an extension of any other legislation. I think the gentleman has the wrong information there. There is no extension unless it is war-incurred.

Mr. KEATING. I understood under the old law the only school districts which were aided were those where there was a situation created by defense industry or some defense plant, whereas, as this law is worded at the present time, it extends aid not only to such areas but to any area where there is Federal building and Federal installations, whether they are for national defense or any other purposes.

Mr. LESINSKI. That is not true. That is not the way we understand it. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. GRANT].

Mr. GRANT. Mr. Chairman, I asked for this time in order to propound a question to the committee.

This legislation is a departure from the legislation we had on this subject last year, in that the legislation at that time provided for a sum not exceeding $120 per child when the Secretary of the Army finds that the schools, if any, available in the locality, are unable to provide adequately for the education of those school children. That law provided that they must have lived on the military installation. The present bill provides that they can live on the installation or outside of the installation in certain cases.

I have a letter from the superintendent of education of Montgomery, Ala. I may say that Montgomery, Ala., is a city which is vitally interested in this legislation because of the fact that we have two large air fields in that city—one on one side and one on the other side. He states that the present bill, H. R. 3829, is a bill which contributes to deficit financing by local school boards, and that under Alabama law they cannot operate a deficit. Before doing so they would have to cut salaries and cut everything else possible.

I wish to ask the chairman, or some member of the committee, just how the public-school system of Montgomery, Ala., may benefit under this bill, taking into consideration the fact that deficit financing is prohibited by the State of Alabama. I see that my time is about to expire and I will therefore request this information a little later when more time is available.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. LESINSKI. Mr. Chairman, I yield the balance of the time to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, I would like to straighten out one or two questions about this bill.

In the first place, no school district that can possibly get along without this Federal money would care to come to the Federal Government for it. For instance, we are passing very late this year the authorization to take care of those schools for the next year. That means that every teacher in those schools does not know whether they will have employment for the next year or not.

It will still be dependent upon the action of the Appropriations Committee in granting these funds. This is an emergency life line to those small school districts which have the impact of war enrollment that they cannot possibly meet.

I am talking about the Midwest city, a small municipality about 7 miles from Oklahoma City.

Oklahoma City cannot absorb this school district because of its territorial location being too far away to integrate with the Oklahoma City school system.

In Oklahoma City we perhaps take care of almost half of the war impact of the Mid-West Air Depot installation and we do not mind, Oklahoma City does not need Government help, because we have got a tax base in Oklahoma City where we can handle that.

But here is a little community across the street from this air installation where more than six or seven thousand people live and sleep. There are no taxable business establishments there. The entire business is across the street—about $20,000,000 worth of business installation, all Government-owned which is completely tax-exempt, and which absorbs 90 percent of that school district.

If this were a privately owned plant, as in the case in some places in the country, where some industry owned that plant, we would not be here asking for any Government help. The ad valorem tax rate in such a case that would work on that fifteen or twenty million dollars investment and would probably give you the best schools in the world in that kind of a defense area. Where the Government owns this land and creates the immense pupil load, we are not asking for a handout; we are merely asking that Uncle Sam not take a free ride on these very small independent school districts.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired, all time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act entitled "An act to provide assistance to certain local school agencies overburdened with war-incurred, or postwar national-defense-incurred, enrollments", approved June 29, 1948 (Public Law 839 of the 80th Cong.), is hereby amended to read as follows:

"That the Federal Works Administrator is authorized to make, in the same manner as heretofore authorized, during the fiscal year ending June 30, 1949, contributions for the operation and maintenance of school facilities to local school agencies requiring assistance that (a) are still overburdened with school enrollments caused by war activities and the transition from war to peacetime conditions and have received during the fiscal year ending June 30, 1948, or during any prior fiscal year, Federal contributions administered by the Federal Works Administrator for the operation and maintenance of their school facilities, or (b) have become overburdened with defense-incurred school enrollments as the result of the reactivation or expansion of any defense establishment or the operation of any new defense establishment."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States, the General Services Administrator is authorized to make contributions to such local school agencies for the operation and maintenance of their school facilities as provided in this act.

"SEC. 2. The total contributions for any school year to any local school agency overburdened financially by a defense-incurred school enrollment or reductions in school revenues caused by the acquisition or ownership of land by the United States shall not exceed the actual deficit, as determined by said Administrator that without such contribution would be incurred in such school year by the local school agency in the operation and maintenance of its school facilities: *Provided, however,* That in determining such deficit the said Administrator shall take into consideration the total income of the local school agency actually available for the maintenance and operation of its school facilities in such school year and the total costs incurred by the local school agency in such school year for the maintenance and operation of its school facilities.

"SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1950, $7,500,000 to carry out the purposes of this act.

"SEC. 4. In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any supervision, direction, or control over the personnel, curriculum, or program of instruction of any school, local school agency, or school system of any State.

"SEC. 5. The said Administrator is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this act, and to make payments in advance, or in any other manner deemed necessary to accomplish the objectives of this act.

"SEC. 6. As used in this act, the term 'local school agency' means any public school district, county, city, town, political subdivision, public agency, or State agency operating and maintaining public school facilities; the term 'State' means any State, Alaska, Hawaii, Puerto Rico, or the Virgin Islands."

Mr. BROOKS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not opposed to this bill, but I am opposed to the method used in the distribution of the funds appropriated under this bill. I am opposed to the criterion put out by the Department in handling these matters. I would appreciate it if the chairman will help to clear this matter up. I come from an area where, as in the case of the gentleman from Alabama [Mr. GRANT], there is a real live problem in education. Under our school system, we are not allowed to run deficits. We have State control of the educational system. I invite the chairman to comment on the situation.

Mr. LESINSKI. I suggest that the gentleman from West Virginia [Mr. BAILEY] can aid the gentleman.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. BAILEY. The matter of deficit financing does not enter into the matter under this bill. It may be that the State of Louisiana or the State of Alabama prohibits deficit financing by school boards, but under modern procedures, the superintendent of the school board prepares a school budget and on finding that they do not have sufficient funds from local and State-aid allocations to operate at the necessary level they make application through their State superintendent of schools for aid from this fund. They must first show that they face a deficit.

Mr. BROOKS. The gentleman from West Virginia wants to be helpful. The gentleman states that they have to make a showing that they have a deficit. Under our law, they cannot have a deficit.

Mr. BAILEY. There is no deficit financing at all. All they need do is to make the showing that without this aid there will be a deficit. They can govern their budget accordingly and there is no deficit financing involved.

Mr. BROOKS. I worked on this matter for a period of over several months last summer where we had a deficit situation coming up. We were told that until a deficit was incurred there was no possibility of getting any money. But our people are prohibited from incurring a deficit, so you cannot say we have a deficit. We do not have a deficit. But until we show we do have a deficit, we are not eligible to file an application for the money. I know communities that are paying a far less percentage of taxes for educational purposes which are participating in this program. Because our people do not show a deficit in the operation of their educational systems, regardless of the degree of effort on their part, they are not eligible.

Something should be worked out so that a community which bears a heavy load, like some of them in Louisiana, may participate in the program without having to show that a deficit has been incurred in violation of the law.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Michigan.

Mr. LESINSKI. That is the reason I had a committee appointed, so that we could study all these matters. Every school district has its problem and a complete study must be made before any additional legislation can be passed.

Mr. BROOKS. We have at least one parish in Louisiana in which is situated an air base where hundreds of students go to school. It is a rural parish, a poor parish, but regardless of the showing we made, and I think we made a good one, this parish has not been able to participate because it cannot show that a deficit has been incurred.

Mr. GRANT. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Alabama.

Mr. GRANT. I think the suggestion made by our colleague from West Virgnia will be very helpful in clearing this matter up. I hope in interpreting this legislation the appropriate department will be governed by the suggestion he has made. If not, it is going to mean that in a situation such as the gentleman from Louisiana has and such as I have in the State of Alabama, we will not get any funds for the next fiscal year.

Mr. BROOKS. I may say to the gentleman from Alabama that is the situation. Regardless of the needs of the school, the State of Louisiana in effect does not participate in the program. In parts of the State these needs are substantial and those districts should not be overlooked so far as participation in this program is concerned.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last two words.

Mr. HOFFMAN of Michigan. Mr. Chairman, we were first told this program is a temporary one, then later on the admission was made that it is to be a permanent program.

We have a somewhat similar situation in the Fourth Congressional District of Michigan. During the war a large number of workers were brought into that district. They were housed in so-called temporary housing which we are now told is going to be indefinitely extended from year to year; no time limit fixed as to its expiration. Unfortunately, those people who came in there, a thousand or more of them, were housed in these so-called temporary housing projects—they worked in the steel plants and foundries. Some of them are now out of jobs. Naturally there was not sufficient room in the schools for their children. The children should be—they will be schooled—we all admit the necessity, but they are not, and the parents, the fathers and mothers, are out of jobs. There is no prospect they are all to have a job. To a large degree defense work is out. So there should be some remedy for the situation.

What are we to do about it? Are we going to continue the temporary war housing indefinitely? Are we to keep the several thousand people in these small communities from now on to the end of time? Or should it be made possible for them to get back to the localities from whence they came?

I have listened and I have read many of the things which have been said by the distinguished representatives from Michigan over in the other body and they have been extremely solicitous about people in other lands, including the so-called displaced persons. I think that the House Committee on Education and Labor or some other committee might well come up with a bill which would have to do with the displaced persons in America, some displaced persons in my own district, some displaced persons in Texas, and other places.

I sympathize with the gentleman from Texas who spoke a little while ago. It is unfortunate that so many children are without school facilities. Something really constructive must be done about it. I did not hear any complaint from localities when those great plants went down there and the enormous pay rolls were in operation; nothing was said about that. But, now that the situation has changed and the war is over and employment is dropping down, do you see the point—they did not save money enough to take care of the schools and the housing—and both must be had. But we cannot support all the war workers for whom jobs are not available in the cities to which they moved—there must be some readjustment. I am serious in this. Is it not about time that we do something for the displaced persons here in America and get those people in those communities who have no jobs there either back in the business where they were or back to the land from whence they came?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman understands we are still fighting a cold war with hot money, are we not?

Mr. HOFFMAN of Michigan. I know that it is going to make taxpayers get real hot from hard work if they are to get the dollars necessary to give housing to war workers who moved to the defense centers to give schooling to their children—when there no longer are jobs open in those communities.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CARNAHAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there is still urgent need for legislation which will provide assistance to school facilities which are heavily overburdened as the result of the recent defense effort. H. R. 3829 is a continuation on the part of the Federal Government to assist local communities in providing school facilities for many children who are not permanently a part of the community involved. We have examples of such communities in Missouri. Fort Leonard Wood, a large Federal installation, has placed upon one of our local school districts a burden which the local district does not have the wealth base to carry. The Federal Government has heavy property holdings in the area and the children from the reservation must be taken care of in the local schools. This situation is definitely not a local problem; it is a Federal problem. This legislation is necessary to meet a Federal obligation to children who otherwise would not get adequate schooling. I see no objection to the bill and I shall vote for it.

Mr. WILSON of Texas. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I was off the floor attending a committee meeting when, I understand, the gentleman from Connecticut referred to a war plant in Dallas and the fact that some 700 or 800 families moved out of some district in Connecticut down to the thriving metropolis of Grand Prairie, Tex. During the war the RFC spent $50,000,000 building North American Aviation plant at

Grand Prairie, Tex., some 12 or 15 miles west of Dallas. Fifty thousand people worked in that plant building airplanes for war use. After the war the War Assets Administration took over that plant as a surplus plant and it was transferred to the Navy. Of course, airplane construction stopped, but recently Chance-Vought from Connecticut leased the plant on a contract from the Navy. The title to the plant is still in the Navy. Therefore no taxes can be charged. The city of Grand Prairie that had grown from 2,500 people to 30,000 people overnight had these school children on hand. This plant occupied fully half of the school district land on which they depended for school money. I certainly favor this bill, because it was certainly no fault of Grand Prairie's that they turned up with 3,000 school children instead of 300, and that they are all still there. The small number of families that moved from Connecticut, some 800, while they added a few school children to that number, I would say it was very few. There are some 2,500 or 3,000 school children there who will have only from 4 to 5 months school per year, with the school district charging the maximum amount it can charge under the law, $1.50 per hundred tax rate, unless it gets part of this money to carry on the activities of that school. So regardless of whether Connecticut lost several hundred families and Grand Prairie took on several hundred families, or whether the gentleman from Connecticut likes it or not, those are the facts. This school needs something like $75,000 or $80,000 in order to carry on a 9-months school term. Certainly the gentleman from Connecticut, just because these fine people had the good judgment to move from the cold and austere climate of his State to the warm and congenial atmosphere of Texas, that they should be penalized by having no schools.

Mr. Chairman, I think this bill is absolutely essential and necessary, and should be passed as an emergency matter.

Mr. MILES. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MILES. Mr. Chairman, I rise more to seek information than to make comment on the bill. In New Mexico, where the Government moved in and took over 5,000,000 acres of land, and brought in a great many school children, some of them are living on Federal land and they will have to be transported to school. The town of Alamogordo, near this project, is bonded to the limit. They do not have the capacity to take care of the people they do have. Under this bill, I do not see what arrangements are made to take care of them. At a little town near Los Alamos the same condition exists. They could not put another pupil in the schoolroom they have. No provision is made to construct buildings there or on Federal land where these projects are located. I do not know whether or not there is any other legislation pending to take care of such matters.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. MILES. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman from Nebraska [Mr. CURTIS] has a bill pending to provide funds for construction work.

Mr. MILES. I thank the gentleman.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WORLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3829) to provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. NICHOLSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

The title was amended so as to read: "A bill to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes."

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. THOMPSON (at the request of Mr. LUCAS) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. DAVENPORT asked and was given permission to extend his remarks in the RECORD.

Mr. MACK of Washington asked and was given permission to extend his remarks in the RECORD.

SPECIAL ORDER GRANTED

Mr. DAVENPORT. Mr. Speaker, I ask unanimous consent that I may address the House for 2 minutes today, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

TRUMAN'S RED HERRING BECOMING ODORIFEROUS

Mr. HOFFMAN of Michigan. Mr. Speaker, ever since the House Un-American Activities Committee, under the leadership of Martin Dies, in June of 1938, began to turn the light of publicity on the Communists in the Federal Government, the administration has vigorously opposed the work of that committee.

Under Roosevelt, Communists were entertained at the White House, the Dies committee's work was subjected to a continuous fire of criticism. The loyalty and patriotism of Members of Congress who saw and pointed out the danger to our Government arising from the Communists' infiltration into labor unions, schools, churches, yes, and into the Federal Government itself, was challenged.

Some of us who had the courage to challenge the administration's program of suppression of free speech, its adherence to a program tending to protect the enemies of our Government, were summoned before a grand jury proceeding under the direction of the infamous William Power Maloney, who is characterized by the United States Supreme Court as a "pettifogging shyster" and who later was convicted in a local court of either drunken or disorderly conduct.

For 2 years and more that grand jury, whose existence was due to the deceptive, disreputable, cowardly conduct of the Washington Post's representative, Dillard Stokes, smeared loyal Americans who were attempting to expose the country's enemies, to call attention to the fact that there was a move on foot to haul down the Stars and Stripes and unfurl in its stead the flag of a one-world union.

When the House Committee on Un-American Activities was successful, as it was, in making public those who in the administration were betraying our Government, the Department of Justice could no longer escape prosecuting a few of the country's enemies.

To serve its own selfish ends, advance its own political interests, the Truman administration has continued to give aid and comfort to the Communists within our borders, while asking and getting billions of dollars of the taxpayers' money to, so it said, fight Communists abroad.

Bridges and Browder, top-notch Communists and long known as such, for years have been pampered, coddled, and protected.

More than once has President Truman characterized the efforts of those of us who would expose and prosecute the Reds, referred to our activities as a "red herring."

The administration was successful in its fight to force off of the House Committee on Un-American Activities the gentleman from Louisiana, F. EDWARD HÉBERT, and the gentleman from Mississippi, JOHN RANKIN, both vigorous effective enemies of communism. But it was unable to destroy the record these gentlemen left behind them.

At last, no longer able to cover up the Communists within the administration, it prosecuted one of the little fish, Judith Coplon, and she was convicted. A bigger fish, one right in the State Department itself, one who was able to call as character witnesses two Justices of the United States Supreme Court, one who was able to cite as his former associates and endorsers men prominent in international affairs, one who was so influential that when he was no longer able to escape indictment and public trial someone high in authority saw to it that he was tried before a friendly, sympathetic judge who overstepped all bounds of legal propriety by so conducting himself as to aid in his defense.

Hiss is the man who was tried before a friendly judge who went out of his way to hamper the prosecution, to aid the defense. Hiss is the man whose attorney was permitted to take unfair advantage of witnesses who appeared for the prosecution, of the attorney who tried the case for the Government, the Honorable Thomas F. Murphy. Murphy, forced to battle not only the defense battery of attorneys but the presiding judge himself, made a magnificent up-hill fight and convinced at least 8 of the 12 jurors that Hiss was guilty of perjury.

The efforts of the House of Representatives, through its committee, to expose the Communists who are in positions of authority in the Federal Government, in positions where, in the event of war, they could hamper our Nation's efforts, have, I repeat, more than once been characterized by President Truman as a "red herring."

But in the light of facts as they are developing, it is apparent that, in the words of the man on the street, Truman's red herring begins to stink and some of the odor, in spite of his efforts, is sticking to the President's fingers.

It is about time that Mr. Truman forgets some of the methods of the corrupt Pendergast political machine to which he owes the major part of his advancement and quits trying, through his utterances, to protect the country's enemies. He seems to have forgotten that Lincoln told us that you cannot fool all the people all of the time.

The people have been patient with this little man in a big job, but there is a limit to their patience and they are no longer swallowing the Presidential smear story that Reds and Red influences in the Federal Government, in labor unions, and elsewhere, are negligible.

If we are to fight communism, we must fight it not only abroad but here at home, and when I say home, I mean right here in Washington. The administration and the State Department have overlong been able to cover up, conceal, and deodorize Communists and near-Communists in their own household.

The scheme to kill probes protecting some of the country's enemies is retold in an article by Willard Edwards, a factual writer of the Chicago Tribune, in its issue of Monday, July 18, 1949. A copy of that article, with certain names deleted to comply with House rules, is attached herewith and made a part hereof:

SCHEME TO KILL PROBES TRACED TO HIGH PLACES—PROMINENT PEOPLE STILL CLING TO HISS

(By Willard Edwards)

WASHINGTON, July 17.—From the lips of Alger Hiss last August 25, in the midst of the hot controversy over his alleged complicity in a Soviet underground organization, came a revelation of the formidable forces which he could summon to his defense.

Behind the current campaign to choke off both a congressional inquiry into the recent perjury-espionage trial of Hiss and a further probe of communism in the Government lies the influence of prominent persons, a survey has revealed.

Administration leaders are determined to avoid any hearings which might further scandalize the public, emphasizing the realization that the Federal structure was permeated with Communist supporters and informants. They have the dictum of President Truman that such inquiries are "a red herring" and "postwar hysteria."

ATTITUDES UNCHANGED

A previous article listed nearly 50 individuals, well known in the Government, the diplomatic, and the financial worlds who have displayed by their actions their faith in the 44-year-old State Department official of the 1936–1946 period. Hiss moved on to the presidency of the $11,000,000 Carnegie Endowment for International Peace.

A split by the jury, 8 to 4 for conviction, after 6 weeks of listening to evidence and 29 hours of deliberation, has not changed the attitude of these supporters, so far as could be learned.

To this group of persons can be added others equally prominent, bringing the total count to more than 100, whose sympathies with the accused Soviet informant are in the record.

When Hiss testified before the House Committee on Un-American Activities last August 25, 22 days and a number of hearings after Whittaker Chambers, confessed Russian spy, named Hiss as his confederate, he was in a belligerent mood. He said the Chambers charges were inconceivable and he challenged the committee to call a number of living personages of recognized stature who would vouch for him.

There were many names of note in the list which he then produced. In the more than 10 months since he made these names public, not one has chosen to disavow Hiss' assertion that they would attest to his highest rectitude.

HEAD LIST

The list was headed by the names of ——— and ———. Both had been delegates to the San Francisco conference which drafted the United Nations Charter and were closely associated with Hiss, secretary general of the conference. The association continued at the first general assembly of the United Nations at London in 1946.

Hiss noted that ——— had known him as far back as 1934 when ——— a member of the Senate Munitions Industry Investigating Committee on which Hiss served as general counsel.

Hiss next listed ———, now deceased, and ———, members of the House Foreign Affairs Committee, who had also attended the San Francisco and London conferences where Hiss played a leading part.

"Next," Hiss told the committee, "former Secretaries of State Cordell Hull, Edward Stettinius, James Byrnes, and Under Secretaries Joseph Grew, Dean Acheson, and William Clayton."

Hiss served under all these officials. Grew was Ambassador to Japan, 1932–41: Director of the Office of Far Eastern Affairs and Under Secretary, 1942–45. Clayton was Commerce Secretary, 1942–45 and went to the State Department first as assistant, later Under Secretary in charge of Economic Affairs, in 1945. He formerly headed Anderson, Clayton & Co., cotton brokers, and the Clayton family controls 40 percent of the stock of the firm which has made vast profits on the European recovery plan.

Hiss then nominated Mrs. Eleanor Roosevelt, wife of the late President, as a member of the San Francisco, London, and New York UN delegations, who was fully acquainted with his work and character. She was one of those, he said, intimately associated with his career.

Hiss named four of those who were later to appear as character witnesses at the trial: Supreme Court Justice Reed, former Solicitor General Charles Fahy, Admiral Arthur J. Hepburn, and Stanley K. Hornbeck, former State Department official. A notable omission from the list was Justice Frankfurter.

ORIGINAL SPONSOR

In previous testimony, Hiss had been most reluctant to name Frankfurter as his original sponsor in the Government.

Harold Stassen, former Governor of Minnesota, and aspirant to the Republican nomination for the Presidency last year, who was a delegate to the San Francisco Conference, was included in the Hiss list of supporters and also the following:

Rear Adm. Harold Train, member of the Dumbarton Oaks delegation; Frank Walker, former Postmaster General and a member of the American delegation to the UN Assembly at London; Federal Judge Homer Bone, former Democratic Senator from Washington; Federal Judge Jerome Frank, former general counsel of the AAA; Isaiah Bowman, member of Dumbarton Oaks delegation; Lt. Gen. Stanley Embick, and Gen. Muir Fairchild, of the Air Force, both members of the Dumbarton Oaks delegation; Henry Fletcher, former Assistant State Secretary and Dumbarton Oaks delegate; Green Hackworth, former legal adviser, State Department, now a judge of the International Court of Justice at The Hague; former Assistant State Secretary Breckinridge Long; Edwin Wilson, Hiss' predecessor as Director of the Office for UN Affairs, later Ambassador to Turkey; and Chester Davis, Administrator of the AAA while Hiss was there, now president of the Federal Reserve Bank at St. Louis.

SAYRE ALSO NAMED

Hiss named former Assistant State Secretary Francis B. Sayre as another who would vouch for him. Hiss was assistant to Sayre in the January–April 1938 period when the stolen documents disappeared from the State Department. Sayre is now a UN delegate. He did not appear at the trial.

"These are the persons best able to testify concerning the loyalty with which I performed the duties assigned me," Hiss challenged the committee. "Ask them if they ever found in me anything except the highest adherence to duty and honor."

When he entered the Government in 1933, Hiss quickly associated himself with the leftist group. One of his closest friends was Lee Pressman, a Harvard classmate, with whom he served on the editorial staff of the Harvard Law Review. Hiss and Pressman were joint assistants to Jerome Frank, AAA general counsel from 1933 to 1935.

Agriculture Secretary Wallace, 14 years later the Progressive Party candidate for President with Communist endorsement, fired Frank and a number of other legal staff members in a 1934 row over the distribution of cotton benefit payments. He

did not fire Hiss or Pressman who were deeply involved in the dispute.

REFUSES TO TESTIFY

Pressman, later general counsel for the CIO, and one of the Wallace campaign managers last year, refused to testify before the House Un-American Activities Committee concerning either his Communist Party affiliations or his acquaintance with Hiss. In answer to a question about his relationship with Hiss, he said the answer might be self-incriminating. He had been named by Chambers as one of the members of the Communist underground organization to which Hiss also belonged.

In the AAA with Hiss at the time were Nathan Witt, Charles Kramer, and John Abt, all named as Communist agents by Chambers. Hiss admitted his friendship with Abt went back to his earlier law career in New York and conceded his close associations with Kramer and Abt. Witt, Kramer, and Abt pleaded possible self-incrimination in refusing to answer questions about Hiss.

Other members of the Communist apparatus in Washington, Chambers testified, were J. Stevens, alias Alexander Stevens, alias Boorstein, identified as the No. 1 underground agent for the Soviet Union, who also pleaded possible self-incrimination in refusing to testify concerning Hiss; Donald Hiss, Alger's brother, later a State Department official; Harry Dexter White, later a prominent Treasury official who died suddenly after a committee appearance; and Harold Glasser.

TELLS OF MEETINGS

Underground meetings were held, Chambers said, at the Washington apartment of Henry Collins, a Harvard classmate of Hiss. Hiss said he and Collins had known each other since boyhood. He admitted acquaintance with White but not with Stevens. He declared, emphatically, that he knew nothing of any communistic activities by any of those named. Collins pleaded possible self-incrimination when questioned about Hiss.

Elizabeth Bentley, another self-confessed Communist agent, had testified that Lauchlin Currie, White House administrative assistant, and Frank V. Coe, Treasury employee, among others, were Communist informants. Hiss said he knew both well and had a high regard for Currie.

Among the State Department officials with whom Hiss was intimately associated was Laurence Duggan, who fell to his death from a New York City skyscraper window last December shortly after his questioning by the FBI on Communist activities. Whether Duggan's death was suicide, murder, or an accident has never been established.

OTHER ASSOCIATES

Hiss' friends and associates in the Government, inquiry established, also included the following:

Benjamin V. Cohen and Thomas Corcoran, the legal team which wrote much New Deal legislation and who were favorites of the late President Roosevelt; Sumner Welles, former State Under Secretary; A. A. Berle, former Assistant Secretary of State who received the first report from Chambers concerning Hiss in 1939 and said he later opposed Hiss and Acheson as the pro-Russian leaders in the State Department; David K. Niles, White House assistant; Archibald MacLeish, the poet who enjoyed a brief State Department career; Nelson A. Rockefeller, Assistant State Secretary for American Republic Affairs; William Benton, former Assistant State Secretary for Public Affairs; Spruille Braden, Assistant Secretary, late Ambassador to several Latin-American Republics.

MEMBERS OF COMMITTEE

The committee for the Marshall plan which, according to its chairman, former War Secretary Robert P. Patterson, Hiss organized with Clark Eichelberger, had the following executive committee members:

Hugh Moore, treasurer, manufacturer; John H. Ferguson, executive director; State Secretary Acheson; Winthrop P. Aldrich, banker; Frank Altschul, banker; James B. Carey, national secretary of the CIO; David Dubinsky, president of the International Ladies Garment Workers union; Allen W. Dulles, lawyer; Herbert Feis, former State Department official; former New York Governor, Herbert H. Lehman; Frederick C. McKee, business executive; Arthur W. Page, business consultant, bank and corporation director; Philip D. Reed, corporation executive; Herbert Bayard Swope, editor and turfman; and Mrs. Wendell L. Willkie.

A glimpse of Hiss' intimate circle in New York was afforded at the trial in the appearance of Dr. Carl Binger, a psychiatrist, who was prepared, after observation of Chambers in the witness chair, to testify that the Government's chief witness was mentally unsound.

Binger's testimony was not permitted although a long hypothetical question, summing up the misdeeds of Chambers' life, was read in the presence of the jury. Judge Samuel H. Kaufman's decision also prevented a cross-examination of Binger. The Government was prepared to show that Binger was a close friend of the Hiss family and to inquire into Binger's own affiliations and activities which FBI investigators had uncovered.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks and include a newspaper clipping.)

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. TABER] is recognized for 15 minutes.

THE NATIONAL ECONOMIC SITUATION AND THE PRESIDENT'S PROGRAM

Mr. TABER. Mr. Speaker, in the past 2 weeks this Nation was treated to some of the most amazing political speeches ever made by a President of the United States. The inconsistencies and misstatements of fact were so numerous as to defy analysis and the most charitable remark that can be made—if charitable we must be at this critical period—is that President Truman has no grasp whatsoever of the present national economic situation.

We are confronted with the prospect of a $50,000,000,000 drop in national income. We are faced with growing unemployment and we have a mounting national debt. But Mr. Truman is not disturbed about this. His remedy is deficit financing, public works, more subsidies and a bigger and more costly bureaucracy. Mr. Truman has been sold the idea that an increase in Federal spending for subsidies, gratuities and public works of from $3,000,000,000 to $10,000,000,000 will take the place of the $50,000,000,000 drop in the national income.

Anyone who knows anything about economics realizes that this will not work. The Roosevelt administration tried pump-priming in the form of made-work on vast public projects, leaf-raking, widespread subsidies and gratuities all through the 1930's and we had continued unemployment, depression, recession, and no prospect of coming out of those chaotic conditions until World War II broke and Federal spending increased from $75,000,000,000 to $100,000,000,000 a year for the operation of the war. This did bolster the national economy and brought about full employment, high prices, the black market and a host of political profiteers—and do not ever underestimate the vast number of Socialist New Dealers who pocketed fortunes on politically inspired war contracts. But that is another story.

It has become increasingly obvious that Socialist planners, who were the spark plugs behind the Roosevelt era of deficit financing, have succeeded in getting control of the Truman administration. We are hearing the same economic double talk on deficit financing and Government spending. Some of the cliches are worn with age and usage, but they still carry that siren promise of something for nothing, which is capable of luring the unsuspecting into supporting those insidious foreign ideologies which permeate the thinking of the Truman administration.

The President would have the American people believe that he can give the farmer high prices, labor high wages, subsidize housing, education, socialize medicine, control costs and production of business and industry; make fabulous loans and gifts to foreign countries, finance global relief and rehabilitation, arm Europe for another war, and at the same time assure the man in the street of a better living, with more goods, at lower prices.

These suggestions are preposterous, fantastic, and an insult to the thinking and integrity of every adult American.

The New Deal or Fair Deal politicians—call them what you will—they are the crafty manipulators of what has been referred to as the "welfare state"—have consistently shown a deep-seated contempt for the intelligence of the American public. It seems to be an accepted theory among these planners that the rank-and-file Americans do not think—they only feel, and as long as the architects of socialism in this country can stifle thinking on the part of the public, and substitute the feeling of security and bounty, they can and will remain in power. We, in Congress, can get at the truth if we but seek it, and if we are truly concerned with the future welfare of this country, we must alert the public to this conspiracy against them. Personally, I do not care enough about retaining my seat in the Congress to lie, cheat, and deceive my constituents.

We presently have a national debt of over $250,000,000,000. If the Truman program continues, that debt will increase in the next year by $8,000,000,000 to $10,000,000,000 and the result will be more inflation, reduced purchasing power of the dollar, and the ultimate complete destruction of our economic system. That is very evidently what the social planners want to bring about. They will destroy free enterprise and the opportunity of the individual American to make something of himself in this world. They will place our workingman in a position where his wages are fixed by a dictator at the top and the farmer where his prices are fixed in the same way. Labor unions will be destroyed. All

prices, wages, and the amount that the individual citizen can eat will be fixed by a dictator. The dictator will be advised by incompetent economists who will make a mess out of the whole thing.

America has become great because her people worked harder than any other in the world. When we get to the point where we are absolutely controlled by the Government the situation of our workingman and the farmer will be tightened up just like it has been in England and everyone will have less and less as the days go by.

It is time for the people of America to wake up. Italy, France, and England are in the control of the Socialists, and the United States—the only large free nation in the world—is told that it must feed them all.

You do not have to take my word for it that the Truman administration has set out to copy Britain's Socialist form of government. Mr. Bevin himself told us so the other day. He frankly stated that Britain has had the welfare state for 3 years and that Mr. Truman is only now embarking on the same road. Mr. Bevin said this with pride; I repeat it with a feeling of shame that what has failed in Britain is now regarded as necessary for America.

The welfare state in Britain has bankrupted the British and without American assistance, their people would starve. I want to say to Mr. Bevin that if the welfare state is foisted on the American people our own economy will be lowered to the point where we no longer can give Britain any assistance and not Britain alone, but two nations—Britain and the United States—may go down together. What are Mr. Bevin and Mr. Truman trying to do—make us as helpless as Britain?

Even without the impossible burdens of the welfare state the financial position of the United States is weak indeed. Let me add a few words about Government bonds. The American people own over $250,000,000,000 of Government bonds. Every time this administration engages in deficit financing and reckless spending the value of those Government bonds is materially reduced. The Truman subsidies and gratuities will, in the long run, depreciate the value of every Government bond now being held and regarded as the savings and old-age security of millions of American families.

How can a President pose as the friend of the workingman, the farmer, and the small-business man when he is jeopardizing their savings, their bonds and their security itself by such financial quackery.

What the President and his henchmen have set before the American people is a simple choice between two ways of life. They are asked in effect to choose between the Republic in which individual freedom and free enterprise and collective bargaining are guaranteed or the socialist state with a dictator in which the Federal bureaucracy determines the citizen's status and activity from the cradle to the grave. That is the choice before the American people today.

We, in Congress, must have the courage to vote our convictions. We know beyond any question of doubt that appropriations can be trimmed. We know from the facts and figures brought before this body that the bloated Federal bureaucracy can be reduced. Rescissions can be made.

I want the American people to know that this Congress has the power to save billions of tax dollars. Congress is going to vote whether we shall have free enterprise and an opportunity for collective bargaining on the part of the workingman or whether we are going to go socialistic or communistic with a dictator at the top.

If we give in to the dictator bloc, we will destroy the opportunity that the American people have built for themselves and future generations. If we remain true to our trust and fight for the liberties of the American people we can save them.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. PHILLIPS of California. I think the gentleman has made an admirable statement and I thank him personally for it. I believe the gentleman has in mind the situation of the appropriation bills at the present time. What is the result of a comparison between the appropriation bills this year and the bills of the Eightieth Congress?

Mr. TABER. We, of course, have only the record of the House to go by; there the appropriations run nearly $5,000,000,000 above what they were last year, and they are only a little below the budget.

Mr. PHILLIPS of California. If the gentleman will yield further, that would justify the statements in the papers that we are now actually engaged in deficit spending.

Mr. TABER. We will be just as soon as these appropriations become available. Some of the larger ones, of course, are not available because they have not been passed, and they involve the embarking upon new enterprises.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. WHITE of Idaho. The gentleman spoke about the British starving unless they had further assistance from this country. Did he ever check on the unmined gold reserves of the British Empire in South Africa or the unmined diamond reserves of South Africa?

Mr. TABER. They have reserves; there is no question about it, reserves to a large amount, but they are not using them for that purpose. The South Africans were smart enough to get out from under the dictator bloc in Great Britain and establish themselves as a separate dominion, and they are not contributing in a substantial way to the welfare of the British.

Mr. WHITE of Idaho. The British still have Singapore and the Malay Peninsula. Does the gentleman take into consideration the rubber and mineral reserves of the Malay Peninsula?

Mr. TABER. They are not getting too far with that. Of course they do have control of them.

Mr. WHITE of Idaho. My records from the Bureau of Mines, as I recollect them, show that the British had $8,000,000,000 of gold reserve in South Africa and also very substantial reserves in the Malay Peninsula.

Mr. TABER. They probably own those things but they are not using them for that purpose.

Mr. WHITE of Idaho. Recent press reports are to the effect that tremendous new discoveries are being made in South Africa, very rich discoveries.

Mr. TABER. I expect that is so, but that does not do us any good.

Mr. WHITE of Idaho. Indeed it does not.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. RABAUT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by Mr. Lawrence E. Smith entitled "Nothing Quiet Along the Potomac."

Mr. SCUDDER asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Santa Rosa Herald for the week of July 8, 1949, entitled "Has the Need Passed?"

The SPEAKER. Under previous order of the House the gentlewoman from Massachusetts is recognized for 10 minutes.

ERECTION OF A STATUE IN HONOR OF THE ARMY MEDICS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have introduced a bill which would authorize the erection of a statue to honor the medics of the last war as well as other wars. Every other branch of the Military Establishment has been honored by a statue or a building or something of the sort but the medics have never received any national honor by Congress.

The medics are the enlisted men of World War II who went unarmed into the thick of the fighting, picked up the wounded and the dead and made numberless trips into the very center of battle. A good many of them lost their arms and their legs, their faces and bodies were horribly maimed, and many of them died.

I believe the House will want to do honor to them and that it will pass legislation providing for the erection of this very fine contemplated statue.

The bill is as follows:

H. R. 5772

A bill to provide for the erection of a memorial to the enlisted men of the Medical Department of the Army who served in World War II

Be it enacted, etc., That the Secretary of the Army is authorized and directed to erect on a suitable site in front of the Pentagon Building in Arlington County, Va., a memorial to the enlisted men of the Medical Department of the Army who, during World War II, displayed such heroism in saving the lives of comrades wounded on the field of battle. Such memorial shall consist of a three-figure statue in bronze the model for which has been created by the sculptor, Nicolaus Koni.

SEC. 2. There is authorized to be appropriated not to exceed the sum of $95,000 to carry out the provisions of this act.

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. DAVENPORT] is recognized for 2 minutes.

HON. MARY T. NORTON

Mr. DAVENPORT. Mr. Speaker, there is an appalling misstatement contained in the CONGRESSIONAL RECORD of Tuesday, July 26, and I wish to quote from that statement made on the floor of this House, an insult which was hurled at one of the most valued and valuable Members of this body, whose record goes back over 25 years of fine service to her country.

Mr. Speaker, it is not so much that the Members of the House may be influenced by these irresponsible and insulting remarks. Every Member of Congress has a deep respect and warm affection for the gracious gentlewoman from New Jersey, Mrs. MARY NORTON. Certainly the biting and bitter words, so ungracious, so uncalled for, must have hurt the gentlewoman; but we can rest assured that no Member of this body would even begin to consider the insulting remarks of the gentleman from Mississippi seriously. The thing we have to bear in mind is that the CONGRESSIONAL RECORD has a wide circulation: Tens of thousands of copies go out to a vast reading audience from coast to coast. High school and college students all over the Nation read this publication. And we cannot expect these readers to know what we do know: That the unfortunate remarks of the gentleman from Mississippi are unfounded and misleading.

Here is what the gentleman from Mississippi said on the floor of the House, Tuesday, July 26:

> It is very amusing to hear the chairman of the committee get up here and deliver a moral lecture to the people in the Southern States when we remember that that individual has probably been here as a result of the wishes of Boss Hague, of New Jersey, probably one of the most corrupt political leaders in America.

Mr. Speaker, knowing the time-honored southern custom of chivalry toward women, many of us were shocked to hear the esteemed chairman of the House Administration Committee referred to as "that individual." Surely that does not follow the pattern of southern chivalry. As to the attempt to smear the gentlewoman from New Jersey [Mrs. MARY NORTON] with that "Boss Hague political corruption nonsense," we believe that to be downright unfair and contemptible. First of all we are not convinced that Hague was "one of the most corrupt political leaders in America."

Secondly, we are sure that Mr. Hague never at any time attempted to exert any influence over MARY NORTON'S long and distinguished career in Congress.

We all have at times made remarks in the heat of argument that we repented after our tempers cooled off. I prefer to believe that the gentleman from Mississippi, Hon. JOHN RANKIN, will lose no time in making the proper amends to the very distinguished gentlewoman from New Jersey.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HINSHAW, for 10 days, on account of official business.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 88. An act to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended; to the Committee on the Judiciary.

S. 204. An act for the relief of Eugenio Maisterrena Barreneche; to the Committee on the Judiciary.

S. 555. An act for the relief of Eiko Nakamura; to the Committee on the Judiciary.

S. 586. An act for the relief of certain civilian personnel employed by the Navy Department, for expenses incurred incident to temporary duty performed at the Navy Yard, Philadelphia, Pa., in 1942; to the Committee on the Judiciary.

S. 787. An act for the relief of William (Vasilios) Kotsakis; to the Committee on the Judiciary.

S. 939. An act to remove certain lands from the operation of Public Law 545, Seventy-seventh Congress; to the Committee on Public Lands.

S. 1026. An act for the relief of Roman Szymanski and Anastosia Szymanski; to the Committee on the Judiciary.

S. 1128. An act to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia"; to the Committee on the District of Columbia.

S. 1166. An act for the relief of Toriko Tateuchi; to the Committee on the Judiciary.

S. 1350. An act to provide for two judges of the Juvenile Court of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1525. An act to provide for the appointment of a deputy disbursing officer and assistant disbursing officers for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1834. An act for the relief of the widow of Robert V. Holland; to the Committee on the Judiciary.

S. 1870. An act prohibiting the sale in the District of Columbia of rockfish weighing more than 15 pounds; to the Committee on the District of Columbia.

S. 1871. An act to amend the Reconstruction Finance Corporation Act to prohibit the employment of certain personnel of the corporation by organizations receiving loans or other financial assistance therefrom; to the Committee on Banking and Currency.

S. 1949. An act to authorize the lease of the Federal correctional institution at Sandstone, Minn., to the State of Minnesota; to the Committee on the Judiciary.

S. Con. Res. 51. Concurrent resolution favoring the suspension of deportation of certain aliens; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 142. An act excepting certain persons from the requirement of paying fees for certain census data;

H. R. 459. An act to authorize the payment of employees of the Bureau of Animal Industry for overtime duty performed at establishments which prepare virus, serum, toxin, or analogous products for use in the treatment of domestic animals;

H. R. 585. An act for the relief of Jacob A. Johnson;

H. R. 1127. An act for the relief of Sirkka Siiri Saarelainen;

H. R. 1303. An act for the relief of Dr. Elias Stavropoulos, his wife, and daughter;

H. R. 1360. An act to extend the times for commencing and completing the construction of a free bridge across the Rio Grande at or near Del Rio, Tex.;

H. R. 2417. An act to authorize the Secretary of the Air Force to operate and maintain a certain tract of land at Valparaiso, Fla., near Eglin Air Force base, as a recreational facility;

H. R. 2474. An act for the relief of Frank E. Blanchard;

H. R. 2799. An act to amend the act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906;

H. R. 2853. An act to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees;

H. R. 3467. An act for the relief of Franz Eugene Laub;

H. R. 3512. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to authorize the exemption of certain employees of the Library of Congress and of the judicial branch of the Government whose employment is temporary or of uncertain duration;

H. R. 4022. An act to extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Tex., to July 31, 1950;

H. R. 4261. An act authorizing the Secretary of the Interior to issue to L. J. Hand a patent in fee to certain lands in the State of Mississippi;

H. R. 4646. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to lend certain property to national veterans' organizations, and for other purposes;

H. R. 4705. An act to transfer the office of the probation officer of the United States District Court for the District of Columbia, the office of the Register of Wills for the District of Columbia, and the Commission on Mental Health, from the government of the District of Columbia to the administrative office of the United States courts, for budgetary and administrative purposes;

H. R. 4804. An act to record the lawful admission to the United States for permanent residence of Karl Frederick Kucker;

H. R. 5508. An act to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948; and

H. J. Res. 170. Joint resolution designating June 14 of each year as Flag Day.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 39 minutes p. m.) the House adjourned until tomorrow, Thursday, July 28, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

805. A letter from the Attorney General, transmitting copies of orders of the Commissioner of the Immigration and Naturalization Service suspending deportation as well as a list of the persons involved; to the Committee on the Judiciary.

806. A letter from the Attorney General transmitting a letter on the case of Georgios L. Maronitis or George Maronitis, File No. A-6777243 CR 23920, requesting that it be withdrawn from those now before the Congress and returned to the jurisdiction of the

Department of Justice; to the Committee on the Judiciary.

807. A letter from the Secretary of Defense, transmitting a proposed bill entitled "A bill to provide for the organization of the Army and the Department of the Army, and for other purposes"; to the Committee on Armed Services.

808. A letter from the Secretary, Department of Agriculture, transmitting a draft of a bill entitled "A bill to permit payment by means of regular salary installments in lieu of payments in a lump sum for all accumulated and accrued annual leave to career employees who are affected in a reduction-in-force program"; to the Committee on Post Office and Civil Service.

809. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the act of May 26, 1936, authorizing the withholding of compensation due Government personnel"; to the Committee on Expenditures in the Executive Departments.

810. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to authorize the carrying out of provisions of article 7 of the treaty of February 3, 1944, between the United States and Mexico, regarding the joint development of hydroelectric power at Falcon Dam on the Rio Grande, and for other purposes"; to the Committee on Foreign Affairs.

811. A letter from the Acting Comptroller General of the United States, transmitting the report on the audit of Federal Deposit Insurance Corporation for the fiscal year Expenditures in the Executive Departments and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KERR: Committee on Appropriations. House Joint Resolution 327. Joint resolution making an additional appropriation for control of emergency outbreaks of insects and plant diseases; without amendment (Rept. No. 1132). Referred to the Committee of the Whole House on the State of the Union.

Mr. PETERSON: Committee on Public Lands. H. R. 3480. A bill to authorize the Commonwealth of Kentucky to use for certain educational purposes lands granted by the United States to such Commonwealth for State park purposes exclusively; without amendment (Rept. No. 1133). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 5557. A bill to provide for coordination of arrangements for the employment of agricultural workers, admitted for temporary agricultural employment from foreign countries in the Western Hemisphere, to assure that the migration of such workers will be limited to the minimum numbers required to meet domestic labor shortages, and for other purposes; without amendment (Rept. No. 1134). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE of California: Committee on Public Lands. H. R. 5725. A bill to stimulate the exploration for strategic and critical ores, metals, and minerals; with amendment (Rept. No. 1135). Referred to the Committee of the Whole House on the State of the Union.

Mr. LYLE: Committee on Rules. House Concurrent Resolution 102. Concurrent resolution to provide for the attendance of a joint committee to represent the Congress at the Eighty-third and Final National Encampment of the Grand Army of the Republic; without amendment (Rept. No. 1136). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 300. Consideration of H. R. 4007, a bill to amend the act entitled "An act to authorize the construction of experimental submarines, and for other purposes," approved May 16, 1947; without amendment (Rept. No. 1137). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS:

H. R. 5783. A bill to establish a United States Air Forces Academy; to the Committee on Armed Services.

By Mr. BUCHANAN:

H. R. 5784. A bill to require legislative representatives to register and report, to require those raising or spending money for legislative representatives to register and report, to provide a penalty, and for other purposes; to the Committee on the Judiciary.

By Mr. CROSSER:

H. R. 5785. A bill to amend the Interstate Commerce Act, as amended, with respect to common or contract carriers by conveyor belt or other similar device; to the Committee on Interstate and Foreign Commerce.

By Mr. DOYLE:

H. R. 5786. A bill to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HERLONG:

H. R. 5787. A bill to make inapplicable to future actions and proceedings section 200 (1) and (2) of the Soldiers' and Sailors' Civil Relief Act of 1940, relating to default judgments; to the Committee on Armed Services.

By Mr. HUBER:

H. R. 5788. A bill to amend the Servicemen's Readjustment Act of 1944 to extend the period during which readjustment allowances may be paid; to the Committee on Veterans' Affairs.

By Mr. KEARNS:

H. R. 5789. A bill to authorize the appropriation of funds to assist in more adequately financing education in the elementary and secondary schools of States found to be needy, and for other purposes; to the Committee on Education and Labor.

By Mr. KLEIN:

H. R. 5790. A bill to provide more adequate and effective rent control until June 30, 1951, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORTON:

H. R. 5791. A bill to authorize the appropriation of funds to assist in more adequately financing education in the elementary and secondary schools of States found to be needy, and for other purposes; to the Committee on Education and Labor.

By Mr. NOLAND:

H. R. 5792. A bill to extend to July 25, 1950, the time within which readjustment allowances may be paid under section 700 of title V of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Veterans' Affairs.

By Mr. RODINO:

H. R. 5793. A bill to amend title 18 of the United States Code with respect to employment of deportable aliens in certain cases; to the Committee on the Judiciary.

By Mr. VINSON:

H. R. 5794. A bill to provide for the organization of the Army and the Department of the Army, and for other purposes; to the Committee on Armed Services.

By Mr. WERDEL:

H. R. 5795. A bill to authorize the appropriation of funds to assist in more adequately financing education in the elementary and secondary schools of States found to be needy, and for other purposes; to the Committee on Education and Labor.

By Mrs. WOODHOUSE:

H. R. 5796. A bill declaring the continuing policy and responsibility of the Federal Government to promote maximum employment, production, and purchasing power and setting forth ways and means of achieving these objectives; to the Committee on Banking and Currency.

By Mr. YATES:

H. R. 5797. A bill declaring the continuing policy and responsibility of the Federal Government to promote maximum employment, production, and purchasing power and setting forth ways and means of achieving these objectives; to the Committee on Banking and Currency.

By Mr. KERR:

H. J. Res. 327. Joint resolution making an additional appropriation for control of emergency outbreaks of insects and plant diseases; to the Committee on Appropriations.

By Mr. JUDD:

H. J. Res. 328. Joint resolution providing that Reorganization Plans Nos. 3, 4, 5, 6, and 7 of 1949 shall take effect at the close of August 19, 1949; to the Committee on Expenditures in the Executive Departments.

By Mr. JENKINS:

H. Con. Res. 112. Concurrent resolution providing for adjournment sine die of the two Houses of Congress; to the Committee on Rules.

By Mr. BEALL:

H. Res. 299. Resolution to authorize an investigation of flood control on Georges Creek in Allegany County, Md.; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD:

H. R. 5798. A bill for the relief of Federick Joseph Reeve; to the Committee on the Judiciary.

By Mr. CARROLL:

H. R. 5799. A bill for the relief of the Acme Finance Co.; to the Committee on the Judiciary.

By Mr. HARE:

H. R. 5800. A bill for the relief of Benjamin T. Gaines; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 5801. A bill for the relief of Mrs. Anna Soldester; to the Committee on the Judiciary.

By Mr. JOSEPH L. PFEIFER:

H. R. 5802. A bill for the relief of Antonio Simonetti; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 5803. A bill for the relief of Benny Eduard Ulsfeldt; to the Committee on the Judiciary.

SENATE

THURSDAY, JULY 28, 1949

(Legislative day of Thursday, June 2, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Paul H. Groseclose, D. D., minister, Andrew Chapel, Colesville Methodist Church, Silver Spring, Md., offered the following prayer:

Heavenly Father, we rest and rejoice that we have such merciful evidence of Thy loving care. Continue to dwell richly with us, gracious Lord, by giving us firmness under resistance, hope in despondency, and consolation in affliction. O bring us into the realization that we